



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2000-0322

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Mark P. Muir

DATE

OCT 19 2000

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES **A** Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- APPENDICES **A** Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

- AMOUNT * You will be billed by NRC for the amount listed. None. Minimum fee threshold not met.
- \$ You will receive a refund for the amount listed. Fees waived.

* See comments for details

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

For your information, there is no indication that material was stored at the 1800 Tribute Road address (see License Condition No. 10 in the attached document A/1).

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY
(If copyrighted identify with *)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	10/20/80	Copy of U.S. Nuclear Regulatory Commission Materials License 04-15259-02, 2 pages.
2	09/25/85	Copy of U.S. Nuclear Regulatory Commission Materials License 04-15259-02, Amendment NO. 1, 3 pages.
3.	04/29/92	Copy of Memorandum for File, License No. 04-15259-02, Department of the Interior, Sacramento, California, from Robert J. Pate, Chief, Nuclear Materials and Fuel Fabrication Branch, Subject: Retirement of File, 1 page.

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 1, Parts 30, 31, 32, 33, 34, 35, 36, 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); and to import such byproduct and source material. 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.

<p align="center">Licensee</p> <p>1. Department of the Interior Bureau of Indian Affairs Central California Agency - Roads</p> <p>2. P. O. Box 15740 Sacramento, California 95813</p>	<p>3. License number 04-15259-02</p> <hr/> <p>4. Expiration date October 31, 1985</p> <p>5. Docket or Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Cesium 137</p> <p>B. Americium 241</p>	<p>7. Chemical and/or physical form</p> <p>A. Sealed source (Troxler #A-102112)</p> <p>B. Sealed source (Troxler #A-102541)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. Not to exceed 8 millicuries per source</p> <p>B. Not to exceed 40 millicuries per source</p>
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9. Authorized use

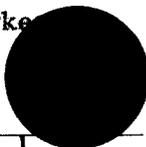
A. and B. For use in Troxler Model 3401 and/or 3411 surface gauges for moisture density measurements.

CONDITIONS

10. Licensed material may be used at Central and Northern California Indian rancherias/reservations where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material. Licensed material shall be stored at 631 North Market Blvd., Unit "N", Sacramento, California.

11. The licensee shall comply with the provisions of Title 10, Chapter 1, Code of Federal Regulations, Part 19, "Notices, Instructions and Reports to Work" and Part 20, "Standards for Protection Against Radiation."

Date _____


10/17/80
ms 10/17/80
 For the U.S. Nuclear Regulatory Commission
JAMES A. JONES
 Material Licensing Branch
 by _____
 Division of Fuel Cycle and Material Safety
 Washington, D.C. 20555
ms/me

MATERIALS LICENSE

Supplementary Sheet

License Number 04-15259-02

Docket or Reference No. _____

CONDITIONS

- 12. Licensed material shall be used by, or under the supervision of, Harold M. Brafford, Fred E. Doka or Tony J. Gonzalez.
- 13. Sealed sources containing licensed material shall not be opened or removed from their respective source holders by the licensee.
- 14. The licensee shall conduct a physical inventory every six (6) months to account for all sealed sources 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, location of sealed sources, and the date of the inventory.
- 15. 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 application dated September 5, 1980. 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.

001 2 V 1580

Date _____

*By 10/17/80
JMS 10/17/80*

For the U. S. Nuclear Regulatory Commission
JAMES A. JONES

by _____
Material Licensing Branch

Division of Fuel Cycle and
Material Safety
Washington, D.C. 20555

JMS/mk

MATERIALS LICENSE

Amendment No. 1

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, 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

- 1. Department of the Interior
Bureau of Indian Affairs
Central California Agency - Roads
- 2. 1800 Tribute Road, Suite 111
Sacramento, California 95815

In accordance with application dated September 5, 1985
3. License number 04-15259-02 is amended in its entirety to read as follows:

4. Expiration date September 30, 1990

5. Docket or Reference No. 030-17849

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
(Troxler Dwg. A-102112)

A. Not to exceed 10 millicuries per source

B. Americium 241

B. Sealed neutron sources
(Troxler Dwg. A-102451)

B. Not to exceed 50 millicuries per source

9. Authorized use

A. and B. For use in Troxler Model 3400 Series Moisture-Density Gauges to measure properties of construction materials.

CONDITIONS

- 10. Licensed material may be used at Central and Northern California Indian rancherias/reservations where the U. S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material. Licensed material shall be stored at 631 North Market Blvd., Unit "N", Sacramento, California 95834.
- 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. Licensed material shall be used by, or under the supervision and in the physical presence of, Harold M. Brafford, Fred E. Doka, James C. Moorehead, or other persons who have completed the manufacturer's training course in the use of the devices and have been designated by Fred E. Doka, Radiation Protection Officer.
- 13. Sealed sources containing licensed material shall not be opened or removed from their respective source holders by the licensee.

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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number

04-15259-02

Docket or Reference number

030-17849

Amendment No. 1

CONDITIONS

(continued)

14. Maintenance or repair of portable devices involving removal of the sealed sources from the devices or removal or dismantling of shielding may be performed by the device manufacturer, or by other persons specifically authorized by the Commission or an Agreement State to perform such services.
15. A. (1) Each sealed source containing licensed material, other than hydrogen 3, with a half-life greater than thirty days and in any form other than gas shall be tested for leakage and/or contamination at intervals not to exceed six months. In the absence of a certificate from a transferor indicating that a test has been made within six months prior to the transfer, a sealed source received from another person shall not be put into use until tested.
- (2) The periodic leak test required by this condition does not apply to sealed sources that are stored and not being used. The sources excepted from this test shall be tested for leakage prior to any use or transfer to another person unless they have been leak tested within six months prior to the date of use or transfer.
- B. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. The test sample shall be taken from the sealed source or from the surfaces of the device in which the sealed source is permanently mounted or stored on which one might expect contamination to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the Commission.
- C. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with Commission regulations. A report shall be filed within five (5) days of the test with the U. S. Nuclear Regulatory Commission, Region V, Office of the Regional Administrator, 1450 Maria Lane, Suite 210, Walnut Creek, California 94596, describing the equipment involved, the test results, and the corrective action taken.
- D. The licensee is authorized to collect leak test samples in accordance with the procedures described in the licensee's application dated September 5, 1985 for analysis by Troxler Electronic Laboratories, Inc. Alternatively, leak test samples may be collected and/or analyzed by other persons specifically authorized by the Commission or an Agreement State to perform such services.
16. The licensee shall conduct a physical inventory every six (6) months to account for all sealed sources 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 licensed material, location of sealed sources and the date of the inventory.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number

04-15259-02

Docket or Reference number

030-17849

Amendment No. 1

CONDITIONS

(continued)

17. The licensee may transport licensed material or deliver licensed material to a carrier for transport in accordance with the provisions of Title 10, Code of Federal Regulations, Part 71, "Packaging of Radioactive Material for Transport and Transportation of Radioactive Material Under Certain Conditions".
18. 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 application dated ~~September 5, 1965~~. 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.



SEP 25 1965

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date _____

By _____

Beth A. Riedlinger
Health Physicist (Licensing)
Nuclear Materials Safety Section
Region V



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION V

1450 MARIA LANE, SUITE 210
WALNUT CREEK, CALIFORNIA 94596-5368

APR 29 1992

030-17849

Memorandum For: File
License No. 04-15259-02
Department of the Interior
Sacramento, California

From: Robert J. Pate, Chief
Nuclear Materials and
Fuel Fabrication Branch

SUBJECT: RETIREMENT OF FILE

In an NRC Form 314 dated April 9, 1992, Mr. Harold Brafford, Agency Superintendent, announced the licensee's intention to dispose of their gauge and to close-out their license by April 17, 1992.

On April 28, 1992, Mr. Fred Doka forwarded the Bill of Lading documenting the transfer of the gauge to Troxler Electronic Laboratories. Mr. James Byron of Troxler confirmed that the gauge was received on April 22, 1992.

License No. 04-15259-02 is hereby retired.


Robert J. Pate, Chief
Nuclear Materials and
Fuel Fabrication Branch

A/B