

**From:** "Bernard, Edward A MVN" <Edward.A.Bernard@MVN02.USACE.ARMY.MIL>  
**To:** "jdc1@nrc.gov" <jdc1@nrc.gov>  
**Date:** Fri, Nov 3, 2000 9:44 AM  
**Subject:** RE: USACE New Orleans District Radiation Materials License Amendment

Jackie,

Always a pleasure to work with you.

As we discussed on our phone-con yesterday evening 2 Nov 00, please :

1. DELETE.... license condition 14 ENTIRELY
2. AMEND.....license condition 22 to delete sub-item A because it refers to our Co-60 sources & devices which were deleted from our license in accordance with our e-mail correspondence dated July 13, 2000 and the issuance of amendment # 7 to our license # 17-16653-03.

Thanks Jackie. Call if you need anything else.

> -----Original Message-----

> From: Bernard, Edward A MVN  
> Sent: Thursday, July 13, 2000 5:33 PM  
> To: 'jdc1@nrc.gov'  
> Cc: Hawkins, Gary L MVN; Clendenon, William K MVN; Knieriemen, Dale A  
> LTC MVN; Julich, Thomas F Col MVN; Dominey, Clifford S MVN  
> Subject: USACE New Orleans District Radiation Materials License  
> Amendment  
>  
> Please refer to License number 17-16653-03.  
> Please find enclosed by fax the following information required to support  
> the request for an amendment to Material License number 17-16653-03:  
> 1. Three (3) Leak Test certificates for newly installed Cs-137 sourced  
> nuclear density gauges on USACE Dredge Wheeler.  
> 2. Three (3) Leak Test certificates for the uninstalled Co-60 sourced  
> nuclear density gauges from USACE Dredge Wheeler.  
> 3. One (1) Field Service Report and Report Summary identifying new source  
> isotope (Cs-137), manufacturer (Texas Nulear), assay #'s, serial #'s, and  
> model #'s.  
> 4. One (1) Training Certificate of Achievement for Edward A. Bernard,  
> 265-94-0922, Distinguished Honor Graduate, Operational Radiation Safety  
> Course, Class 501-99 issued from the United States Army Chemical School,  
> Ft. McClellan, Alabama.  
>  
> Dear Jacqueline,  
>  
> We have recently received and installed our new Cs-137 sourced nuclear  
> density gauges and are operating these devices on our USACE Dredge Wheeler  
> under TN Technologies, Inc., General License Provisions.  
>  
> Through TN Technologies, Inc., we have decommissioned our old Co-60  
> sourced gauges in accordance with all applicable NRC regulations.  
>  
> We respectfully request the following amendment changes to our Material  
> License number 17-16653-03:  
> DELETE 6.A Cobalt-60  
> DELETE 6.B Cobalt-60  
> DELETE 7.A

- > DELETE 7.B
- > DELETE 8.A
- > DELETE 8.B
- > DELETE 9.A
- > DELETE 9.B
- > DELETE 10.A
- > DELETE 11.A
- > AMEND 11.C. The Radiation Safety Officer for this license is Edward A. Bernard III CIH.
- > DELETE 14.
- > AMEND 15. Maintenance and repair of troxler devices and installation, replacement, and disposal of sealed sources shall be performed only by persons specifically licensed by the Commission or an Agreement State to perform such services.
- > DELETE 16.
- > AMEND 17. The licensee shall operate each troxler gauge within the manufacturer's specified temperature and/or environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.
- > DELETE 18.
- > AMEND 19. The licensee shall conduct a physical inventory of the troxler gauges annually, or at other interval approved by NRC, to account for all sources and/or devices received and possessed under the license.
- >

Received: from igate2.nrc.gov  
(igate.nrc.gov [148.184.176.31])  
by nrcgwia.nrc.gov; Fri, 03 Nov 2000 10:43:43 -0500  
Received: from nrc.gov  
by smtp-gateway ESMTPE id KAA11781  
for <jdc1@nrc.gov>; Fri, 3 Nov 2000 10:43:10 -0500 (EST)  
Received: by dms-lcc-vck-m1.dms.usace.army.mil with Internet Mail Service (5.5.2650.21)  
id <WDT8PJLY>; Fri, 3 Nov 2000 09:43:13 -0600  
Message-ID: <4482F79C66D1D211990F0001FA7EA96F9C1A9B@MVNMAIL01>  
From: "Bernard, Edward A MVN" <Edward.A.Bernard@MVN02.USACE.ARMY.MIL>  
To: "jdc1@nrc.gov" <jdc1@nrc.gov>  
Subject: RE: USACE New Orleans District Radiation Materials License Amendm  
ent  
Date: Fri, 3 Nov 2000 09:41:38 -0600  
MIME-Version: 1.0  
X-Mailer: Internet Mail Service (5.5.2650.21)  
Content-Type: multipart/alternative;  
boundary="----=\_NextPart\_001\_01C045AC.8E451F40"



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

November 6, 2000

Department of the Army  
U.S. Army Engineer District, New Orleans  
ATTN: Edward A. Bernard, III  
Radiation Safety Officer  
Corps of Engineers  
P.O. Box 60267  
New Orleans, LA 70160-0267

SUBJECT: LICENSE AMENDMENT (CORRECTED COPY)

Enclosed is corrected copy to License No. 17-16653-03, Amendment No. 07, dated October 26, 2000, deleting License Condition 14, Amendment No. 07, in its entirety and deleting License Condition 22.A., Amendment No. 07. You should review this document for correctness and completeness.

If you have any questions concerning this action, please feel free to contact us at 817-860-8132. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Jacqueline D. Cook".

Jacqueline D. Cook  
Health Physicist  
Nuclear Materials Licensing Branch

License: 17-16653-03  
Docket: 030-19780

**MATERIALS LICENSE**

**CORRECTED COPY**

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.

<p style="text-align: center;">Licensee</p> <p>1. Department of the Army U.S. Army Engineer District, New Orleans</p> <p>2. Corps of Engineers P.O. Box 60267 New Orleans, Louisiana 70160-0267</p>	<p>In accordance with e-mail dated July 13, 2000</p> <p>3. License number 17-16653-03 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date January 31, 2005</p> <hr/> <p>5. Docket No. 030-19780 Reference No.</p>
---	--

<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 sources registered either with NRC under 10 CFR 32.210 or with an Agreement State and incorporated in a compatible portable gauging device as specified in Item 9 of this license</p> <p>B. Sealed sources registered either with NRC under 10 CFR 32.210 or with an Agreement State and incorporated in a compatible portable gauging device as specified in Item 9 of this license</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. No single source to exceed the maximum activity specified in the certificate of registration issued by NRC or an Agreement State</p> <p>B. No single source to exceed the maximum activity specified in the certificate of registration issued by NRC or an Agreement State</p>
---	---	---

9. Authorized Use:

A. and B. To be used, for measuring physical properties of materials, in Troxler Electronic Laboratories, Inc. portable gauging devices that have been registered either with NRC under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with an NRC or Agreement State specific license authorizing distribution to persons specifically authorized by an NRC or Agreement State license to receive, possess, and use the devices.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
17-16653-03Docket or Reference Number  
030-19780Amendment No. 07  
**CORRECTED COPY****CONDITIONS**

10. A. Radioactive material identified in Items 6.A. and 6.B. shall be used only at the following:
- (i) 7400 Leake Avenue, New Orleans, Louisiana;
  - (ii) Temporary job sites anywhere in the United States.
11. A. Licensed material identified in Items 6.A. and 6.B. shall only be used by, or under the supervision and in the physical presence of, individuals who have received the training described in application dated December 7, 1998.
- B. The Radiation Safety Officer for this license is Edward A. Bernard, III, M.S.
12. Sealed sources or source rods containing licensed material shall not be opened or sources removed or detached from source rods or gauges by the licensee, except as specifically authorized.
13. A. Sealed sources or detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source received from another person shall not be put into use until tested.
- D. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or
  - (ii) they contain only a radioactive gas; or
  - (iii) the half-life of the isotope is 30 days or less; or
  - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
  - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
17-16653-03Docket or Reference Number  
030-19780Amendment No. 07  
CORRECTED COPY

- E. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Nuclear Materials Safety. The report shall specify the source involved, the test results, and corrective action taken.
- F. The licensee is authorized to collect leak test samples for analysis by Source Production and Equipment Company. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
14. The licensee shall conduct a physical inventory every 6 months, or at other interval approved by NRC, to account for all sources and/or devices received and possessed under the license.
15. Each portable gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.
16. Except for maintaining labeling as required by 10 CFR Part 20 or 71, the licensee shall obtain authorization from NRC before making any changes in the sealed source, device, or source-device combination that would alter the description or specifications as indicated in the respective Certificates of Registration issued either by the Commission pursuant to 10 CFR 32.210 or by an Agreement State.
17. Any cleaning, maintenance, or repair of the gauges that requires detaching the source or source rod from the gauge shall be performed only by the manufacturer or other persons specifically licensed by the Commission or an Agreement State to perform such services.
18. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material.
19. A. If the licensee uses unshielded sealed sources extended more than 3 feet below the surface, the licensee shall use surface casing that extends from the lowest depth to 12 inches above the surface and other appropriate procedures to reduce the probability of the source or probe becoming lodged below the surface. If it is not feasible to extend the casing 12 inches above the surface, the licensee shall implement procedures to ensure that the cased hole is free of obstruction before making measurements.
- B. If a sealed source or a probe containing sealed sources becomes lodged below the surface and it becomes apparent that efforts to recover the sealed source or probe may not be successful, the licensee shall notify the U. S. Nuclear Regulatory Commission and submit the report required by 10 CFR 30.50(b)(2) and (c). The licensee shall not abandon the sealed source or probe without obtaining the Commission's prior written consent.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
17-16653-03Docket or Reference Number  
030-19780Amendment No. 07  
**CORRECTED COPY**

20. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
21. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. 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. Application dated December 7, 1998

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date November 6, 2000

By

Jacqueline D. Cook, Health Physicist  
Nuclear Materials Licensing Branch  
Region IV  
Arlington, Texas 76011