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NRC FORM 241 U.S. NUCLEAR REGULATORY COMMISSION (7-1999)			APPROVED BY OMB: NO. 3150-0013 EXPIRES: 07/31/2002 Estimated burden per response to comply with this mandatory collection request: 15 minutes. This notification is required so that NRC may					
			schedule inspec accordance wit	Estimated burden per response to comply with this manualch, observa- request: 15 minutes. This notification is required so that NRC may schedule inspection of the activities to ensure that they are conducted in accordance with requirements for protection of the public health and accordance with requirements for protection of the public health and				
REPORT OF PROPOSED ACTIV	safety. Send c Management B Washington	accordance with requirements for protection of the public health and safety. Send comments regarding burden estimate to the Records Management Branch (T-6 E6), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to bjs1@mrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0013), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the						
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Nashville, TN 37203			5. TELEPHONE N (Include Area C	Code)		FACSIMILE	ea Code)	
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Attachment #1 Colendar Year 2001 May 1-4, 7-11, 14-18, 21-25, 28-31 = 23 days June 1, 4-8, 11-15, 18-22, 25-29 = 20 days July 2-3, 5-6, 9-13, 16-20, 23-27, 30-31 = 21 days August 1-3, 6-10, 13-17, 20-24, 27-31 = 23 days September 3-7, 10-14, 17-21, 24-28 = 20 days October 1-5, 8-12, 15-19, 22-26, 29-31 = 23 days = 22 days November 1-2, 5-9, 12-16, 19-23, 26-30 December 3-7, 10-14, 17-21, 24-28, 31 = 21 days



RADIOACTIVE MATERIAL LICENSE

Pursuant to Tennessee Department of Environment and Conservation Regulations, 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 radioactive material listed below; and to use such radioactive material for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules and regulations of the Tennessee Department of Environment and Conservation and orders of the Division of Radiological health, now or hereafter in effect and to any conditions specified below.

LICENSEE	
	3. License number R-19218-D02
1. Name K. S. Ware & Associates, LLC	
2. Address	4. Expiration date
	April 30, 2002
315 10th Ave. N., Suite 122 Nashville, TN 37203	5. File no.
	R-19218
6. Radioactive Material (Element and Mass Number)	ical form 9: Maximum Radioactivity and/or quantity of material which licen, may possess at any one time.
See Supplemen	tary Sheets
See Supplemen	tary Sheets
CONDIT 11. Unless otherwise specified, the authorized place of use is l	
See Supplemen	tary Sheets For the Commissioner Tennessee Department of Environment and Conservati
Date of Issuance April 23, 1997	Prolife Man
By	I DIVISION OF RADIOLOGICAL HEALTH
_	•
	Ronald E. Wynn Health Physicist

RADIOACTIVE MATERIAL LICENSE

Supplementary Sheet

Page 2 of 5 Pages

License Number R-19218-D02

9. Maximum Radioactivity

6. Radioactive Material (Element and Mass Number)	8. Chemical and/or Physical Form	and/or Quantity of Material Which Licensee May Possess at Any One Time
A. Cesium 137	A. Scaled Source (CPN-131A)	A. No single source to exceed 10 millicuries.
B. Americium 241: Beryllium	B. Sealed Source (CPN-131B)	B. No single source to exceed 50 millicuries.
C. Cesium 137	C. Sealed Source (Troxlet Drawing Number A-102112C)	C. No single source to exceed 9 millicuries.
D. Americium 241: Bcryllium	B. Sealed Source (Troxler Drawing Number A-102451D)	B. No single source to exceed 44 millicuries.

10. Authorized use

- A. and B. To be used in Campbell Pacific Nuclear Corporation Model MC series soil gauge for the measurement of moisture and density of construction materials at various jobsites within the license jurisdiction.
- C. and D. To be used in Troxler Electronics Laboratory Models 3411 or 3430 compact moisture density gauge for the measurement of moisture and density of construction materials at various jobsites within the license jurisdiction.

Conditions (continued)

- 12. The licensee shall comply with applicable provisions of 1200-2-4, 1200-2-5, and 1200-2-10, of "State Regulations for Protection Against Radiation."
- 13. Radioactive material authorized by this license may be used at temporary job sites of the licensee, in areas not under exclusive Federal jurisdiction, throughout the State of Tennessee.

Before radioactive materials can be used at a temporary job site at any Federal facility, the jurisdictional status of the job site must be determined. If the jurisdictional status is unknown, the Federal agency should be contacted to determine if the job site is under exclusive Federal jurisdiction. A response should be obtained in writing or a record should be made of the name and title of the person at the Federal agency who provided the determination and the date that it was provided.

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RADIOACTIVE MATERIAL LICENSE

Supplementary Sheet

Page 3 of 5 Pages

License Number <u>R-19218-D02</u>

Authorization for use of radioactive materials at job sites under exclusive Federal jurisdiction shall be obtained either by: (1) filing a NRC Form-241 in accordance with 10 CFR 150.20(b), "Recognition of Agreement State Licenses,"; or (2) by applying for a specific NRC license.

Before radioactive materials can be used at a temporary job site in another State, authorization shall be obtained from the State if it is an Agreement State, or from the NRC for any non-Agreement State, either by filing for reciprocity or applying for a specific license.

14. A. Radioactive material authorized by this license shall be used by James E. Trotter.

B. The Radiation Safety Officer for this license is James E. Trotter.

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- 15. A. Sealed sources authorized by this license shall be tested for leakage and/or contamination at intervals not to exceed six (6) months. In the absence of a certificate from a transferor indicating that a test has been made within six (6) months prior to transfer, the sealed source shall not be put into use until tested.
 - 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 scaled source or from the surface of the device in which the scaled source is permanently mounted or stored on which one might expect contamination to accumulate. Records of leak tests shall be kept in units of microcuries and maintained for inspection by the Department.
 - 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 Department regulations. A report shall be filed within five (5) days of the test with the Division of Radiological Health, Tennessee Department of Environment and Conservation, 3rd Floor L & C Annex, 401 Church Street, Nashville, Tennessee, 37243-1532, describing the equipment involved, the test results, and the corrective action taken.
 - D. Tests for leakage and/or contamination shall be performed by persons authorized by this Department, the U.S. Nuclear Regulatory Commission, or another Agreement state to perform such services.
- 16. The licensee shall not open sealed sources containing radiosctive material or remove sealed sources from their respective source holders.
- 17. Maintenance and repair of devices containing radioactive material, and installation, replacement, removal from service, and disposal of scaled sources containing radioactive material used in devices shall be performed only by the respective device manufacturer or by other persons specifically authorized by this Department, the U. S. Nuclear Regulatory Commission, a Licensing State, or another Agreement State, as appropriate, to perform such services.

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RADIOACTIVE MATERIAL LICENSE

Supplementary Sheet

Page 4 of 5 Pages

License Number <u>R-19218-D02</u>

- 18. To prevent tampering or removal by unauthorized personnel, each radioactive device authorized by this license shall be secured in a locked storage container or area when not being used.
- 19. The licensee shall maintain complete and accurate records of the receipt and disposal of radioactive material. The licensee shall, for radioactive material no longer useful for any purpose and for any equipment or supplies contaminated with such material for which further use and decontamination is not planned, define those materials as radioactive waste and treat them as such in accordance with the following provisions:
 - A. Radioactive waste material shall not be stored with non-radioactive waste.
 - B. A written record of all radioactive waste material shall be maintained until it has been determined by a suitable survey or radioassay that it has decayed to background levels or until it has been shipped to an authorized recipient in accordance with all applicable regulations. Accountability of radioactive waste material prepared for shipment but not yet shipped from the licensee is constantly aware of the material's location and the' proposed time of shipment. Individuals who are involved in the shipping of such material and/or the storage of such material prior to shipment, shall be trained in the precautions necessary for such handling and storage.
 - C. For material which has decayed to background levels as determined by radioassay or external level as measured with appropriately calibrated instruments, records shall indicate that the material was determined to be no longer radioactive and will indicate the methods and results of the survey or analysis.
 - D. Shipment records of radioactive waste material shall be maintained and the licensee shall require written confirmation from the authorized recipient of such material that this material has been received.
 - E. All records and written confirmations required by this condition shall be maintained for inspection by the Department.

The requirements for this condition are in addition to any other requirements for the handling and/or disposal of radioactive material contained in this license and "State Regulations for Protection Against Radiation."

20. The licensee shall conduct a physical inventory every six (6) months to account for all sources and/or devices received and possessed under this license. Records of inventories shall be maintained for inspection by the Department.

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RADIOACTIVE MATERIAL LICENSE

Supplementary Sheet

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Page 5_of 5_Pages

License Number R-19218-D02

- 21. No provision of this license relieves the licensee from compliance with other Federal. State and local laws, ordinances, and regulations applicable to the licensee's activities.
- 22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments.

RADIOACTIVE MATERIAL LICENSE

Amendment 1

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC 315 10th Ave. N., Suite 122 Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

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Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated June 2, 1997, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Items 10.C and D and Condition 22. These items and this condition will now read as follows:

- 10.C. and D. To be used in Troxler Electronics compac moisture density gauges, all models within the 3400 series, for the measurement of moisture and density of construction materials at various jobsites within the license jurisdiction.
- 22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letter dated June 2, 1997.

All other parts of this license remain unchanged. Date June 2, 1997

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Ronald E. Wynn Health Physicist Division of Radiological Health

RADIOACTIVE MATERIAL LICENSE

Amendment 2

Page <u>1</u> of <u>1</u> Page

License Number R-19218-D02

K.S. Ware & Associates, LLC 315 10th Ave. N., Suite 122 Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

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Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated July 11, 1997, with attachment, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Conditions 14A. and 22. These conditions will now read as follows:

14. A. Radioactive material authorized by this license shall be used by James E. Trotter, or Charles Ervin.

22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, and July 11, 1997, with attachment.

All other parts of this license remain unchanged. Date <u>July 11, 1997</u>

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Ronald J. Parsons Health Physicist Division of Radiological Health

RADIOACTIVE MATERIAL LICENSE

Amendment 3

Page 1 of 1 Page

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License Number <u>R-19218-D02</u>

K.S. Ware & Associates, LLC 315 10th Ave. N., Suite 122 Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated July 31, 1997, with attachments, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Conditions 14A. and 22. These conditions will now read as follows:

- 14. A. Radioactive material authorized by this license shall be used by James E. Trotter, Charles Ervin, or by individuals who have satisfactorily completed the licensee's training course or a training course provided by a device manufacturer, and have been instructed in the licensee's operating and emergency procedures. Records of training for each user shall be maintained by the licensee for inspection by the Department.
- 22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, and July 31, 1997, with attachments.

All other parts of this license remain unchanged. Date <u>August 6, 1997</u>

> For the Commissioner Tennessee Department of Environment and Conservation

Ronald J. Parsons Health Physicist Division of Radiological Health

RADIOACTIVE MATERIAL LICENSE

Amendment 4

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC 315 10th Ave. N., Suite 122 Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated April 29, 1998, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To delete Items 6A, 6B, 8A, 8B, 9A, 9B, 10A, and 10B. These Items are hereby deleted.

To change Items 9C, 9D, and Condition 22. These items and this condition will now read as follows:

- 9.C. Two (2) sources. No single source to exceed 9 millicuries
- 9.D. Two (2) sources. No single source to exceed 44 millicuries
- 22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, and April 29, 1998.

All other parts of this license remain unchanged. Date <u>April 30, 1998</u>

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Ronald E. Wynn Health Physicist Division of Radiological Health

RADIOACTIVE MATERIAL LICENSE

Amendment 5

Page 1 of 1 Page

License Number <u>R-19218-D02</u>

K.S. Ware & Associates, LLC ² 315 10th Ave. N., Suite 122 Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated September 15, 1998, with attachments, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Conditions 14A. and 22. These conditions will now read as follows:

- 14. A. Radioactive material authorized by this license shall be used by James E. Trotter, Charles Ervin, Laurie Bourg, or by individuals who have satisfactorily completed the licensee's training course or a training course provided by a device manufacturer, and have been instructed in the licensee's operating and emergency procedures. Records of training for each user shall be maintained by the licensee for inspection by the Department.
- 22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, and September 15, 1998, with attachments.

All other parts of this license remain unchanged. Date <u>September 23, 1998</u>

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Ronald J. Parsons Health Physicist Division of Radiological Health

RADIOACTIVE MATERIAL LICENSE

Amendment 6

Page 1 of 1 Page

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License Number R-19218-D02

K.S. Ware & Associates, LLC 315 10th Avenue North, Suite 122 Nashville, Tennessee 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letters dated December 31, 1998, with attachments, and March 17, 1998 (received March 22, 1999), with attachment, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Condition 22. This condition will now read as follows:

22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, September 15, 1998, with attachments, December 31, 1998, with attachment, and March 17, 1998 (received March 22, 1999), with attachments.

This amendment acknowledges the change of the physical storage location of the gauges listed on this license, to a new location within the lab.

All other parts of this license remain unchanged. Date: April 7, 1999

Gerald W. Bacon Health Physicist Division of Radiological Health

RADIOACTIVE MATERIAL LICENSE

Amendment 7

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC . 315 10th Avenue North, Suite 122 Nashville, Tennessee 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and Charles Ervin, and in accordance with their letter dated April 14, 1999, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Conditions 14 and 22. These conditions will now read as follows:

- 14. A. Radioactive material authorized by this license shall be used by James E. Trotter, Charles Ervin, Laurie Bourg, or by individuals who have satisfactorily completed the licensee's training course or a training course provided by a device manufacturer, and have been instructed in the licensee's operating and emergency procedures. Records of training for each user shall be maintained by the licensee for inspection by the Department.
 - B. The Radiation Safety Officer for this license is Charles Ervin.
- 22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, September 15, 1998, with attachments, December 31, 1998, with attachment, March 17, 1998 (received March 22, 1999), with attachments, and April 14, 1999.

All other parts of this license remain unchanged. Date: April 26, 1999

Gerald W. Bacon Health Physicist Division of Radiological Health