

**BLADES Construction Products Corp**

7610 COUNTY ROUTE 65  
P.O. BOX 590  
HORNELL, NY 14843-0590  
(607) 324-3636  
FAX (607) 324-0998

July 10, 2001

Licensing Assistance Section  
Nuclear Materials Safety Branch  
NRC Region #1  
475 Allendale Road  
King of Prussia, PA 19406-1415

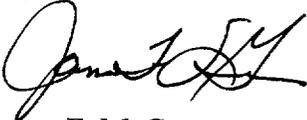
Attn: Sheryl Villar

Dear Ms. Villar:

Enclosed is our 'renewal' permit from NYSDOL.

Should you have any questions, please feel free to contact me at your earliest convenience.

Regards,



James F. McGee  
General Manager

JFM/kro

Enc.

CC: C.L. Blades, VP (Cover only)  
F. Rassman, RSO (Cover only)  
File (Cover only)

2001 JUL 12 PM 3:56

RECEIVED  
REGION 1



STATE OF NEW YORK  
DEPARTMENT OF LABOR  
Division of Safety & Health  
Radiological Health Unit

Governor W. Averell Harriman State Office Building Campus  
Building 12, Room 169  
Albany, New York 12240

7/10/2001  
Copy → Fred Rassman  
cc. Mike file.

June 26, 2001

Fred Rassman, RSO  
Blades Construction Products Corp.  
7610 County Route 65  
P.O Box 590  
Hornell, New York 14843

License: 2688-3947  
Reference: 2  
Amendment: -  
DL 01-100

Dear Mr. Rassman:

Enclosed is the renewal of New York State Department of Labor Radioactive Materials License number 2688-3947, authorizing the possession of radioactive materials in the types and amounts specified for the uses indicated. All activities conducted under this license shall be governed by the provisions of Industrial Code Rule 38 (12 NYCRR 38) and by the specific conditions of the license. You should read these documents carefully to familiarize yourself with all applicable requirements including any statements, representations and procedures contained in documents specified in License Condition 23, to which you have committed as part of the licensing review process. These requirements should also be included in the initial and annual refresher training provided to all employees who use licensed material.

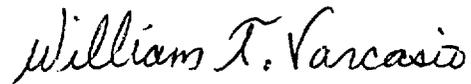
Please note especially License Conditions 18 and 19. Condition 18 requires you and your workers to report accidents and incidents involving gauges to this office immediately by telephone. Condition 19 requires you to properly maintain gauges, and to prevent their abuse or mishandling.

Also enclosed are two Notices to Licensees, dated February 14, 1994, and December 10, 1997, regarding the storage and security of portable gauges, and the prevention of accidents through adequate training and maintenance. The information contained in them is intended to assist licensees in the safe use of portable radiation devices.

Please note that although this license does not limit the number of devices you may possess, it was issued contingent upon your commitment to provide adequate storage facilities. At no time should the number of such devices exceed your storage capacity, and if storage capacity is added in the future to accommodate additional devices, it must provide at least the same level of safety and security.

Your program will be evaluated periodically by inspectors from the Radiological Health Unit. If you have any questions please do not hesitate to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "William T. Varcasio".

William T. Varcasio  
Associate Radiophysicist

enc: License  
2/14/94 and 12/10/97 Notices  
Notice to Employees

cc: James E. McGee, General Manager w/o enc.



STATE OF NEW YORK - DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH

**RADIOACTIVE MATERIALS LICENSE**

DL 01-100

Page 1 of 4 Page(s)

PURSUANT TO THE LABOR LAW AND INDUSTRIAL CODE RULE 38, AND IN RELIANCE ON STATEMENTS AND REPRESENTATIONS HERETOFORE MADE BY THE LICENSEE DESIGNATED BELOW. A LICENSE IS HEREBY ISSUED AUTHORIZING SUCH LICENSEE TO RECEIVE, POSSESS, USE AND TRANSFER RADIOACTIVE MATERIAL(S) DESIGNATED BELOW; AND TO USE SUCH RADIOACTIVE MATERIAL(S) FOR THE PURPOSE(S) AND AT THE PLACE(S) DESIGNATED BELOW. THIS LICENSE IS SUBJECT TO ALL APPLICABLE RULES, REGULATIONS, AND ORDERS NOW OR HEREAFTER IN EFFECT OF ALL APPROPRIATE REGULATORY AGENCIES AND TO ANY CONDITIONS SPECIFIED BELOW.

1. NAME OF LICENSEE		3. LICENSE NUMBER
Blades Construction Products Corp.		2688-3947
FEIN:16-1290952		4. EXPIRATION DATE
PHONE:(607)324-3636		
2. ADDRESS OF LICENSEE		June 30, 2004
7610 County Route 65		5a. REFERENCE No.
Hornell, New York 14843		
		b. AMENDMENT No.
		2
		--
6. RADIOACTIVE MATERIALS (element in mass number)	7. CHEMICAL AND/OR PHYSICAL FORM	8. MAXIMUM QUANTITY LICENSEE MAY POSSESS AT ANY ONE TIME

- |                             |                   |                     |
|-----------------------------|-------------------|---------------------|
| A. Cesium 137               | A. Sealed Sources | A. See Condition 9. |
| B. Americium 241: Beryllium | B. Sealed Sources | B. See Condition 9. |

9. Authorized use:

Conditions 6.A. and 6.B.

1. The licensee is authorized to use any sealed source, or associated portable moisture/density gauge which has been manufactured and distributed in accordance with a specific license issued by an Agreement State or the United States Nuclear Regulatory Commission. Combinations of sources and devices must be compatible for use as stated in a Sealed Source and Device Registration Certificate (i.e. stated in the registration certificate for the source or device).
2. No single source may exceed the maximum activity specified for that nuclide in the Sealed Source and Device Registration Certificate for any device in which the source is to be used.
10. A. Licensed material shall be stored at 7610 County Route 65, Hornell, New York, and may be used at temporary job sites of the licensee anywhere within the State of New York, where the Department of Labor exercises jurisdiction.



STATE OF NEW YORK - DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH

**RADIOACTIVE MATERIALS LICENSE**

Page 2 of 4 Pages

3. License Number 2688-3947

5a. Ref. No. 2

b. Amend. No. ---

- B. Overnight storage at other locations shall be in accordance with statements referenced in Condition 23 herein, providing that such storage may not be in a residence, or in an attached garage except within a vehicle. Any vehicle used for storage shall be driven only for purposes associated with use or transport of the contained radioactive material, by a person qualified to use the material, and no passengers shall be carried unless they are also involved in work under this license. Vehicular storage shall only be allowed if no other storage is possible and shall not exceed five (5) consecutive nights unless authorization to exceed this limit is obtained from the Department.
- C. Under no circumstances shall radioactive material authorized by this license be transferred to the custody of any person or firm other than the licensee, or be used or stored by another person or firm or its employees; unless that person or firm possesses a valid license to possess and use such radioactive material.
11. Licensed material shall be used by, or under the supervision of, **Fred Rassman** (Radiation Safety Officer), by licensee personnel trained and certified by the device manufacturer. The licensee shall maintain a complete and accurate record of the qualifications of each person permitted to use radiation sources under this license.
12. Sealed Sources containing radioactive materials shall not be opened or removed from gauges by the licensee.
13. A. The licensee is not authorized to dismantle, repair or effect any changes in the source holders/gauges. Any maintenance involving exposure of the source or removal of shielding is prohibited. All other maintenance shall be performed in accordance with the manufacturer's recommendations.
- B. The licensee shall not alter labels attached to gauges, and shall maintain labels in legible condition at all times.
14. The licensee shall instruct persons who engage in work under the license, in accordance with section 38.27(c) of Code Rule 38. Such instruction shall include the licensee's operating and emergency procedures, and other information contained in documents incorporated in Condition 23.
15. The licensee shall conduct a physical inventory every six (6) months to account for all Gauges received and possessed under the License. The records of the inventories shall be maintained for three (3) years from the date of the inventory for inspection by the Department, and shall include the quantities and kinds of licensed material, Manufacturer's Name and Model No., location of the gauges, the date of the inventory and the name of the person who performed it.



STATE OF NEW YORK - DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH

**RADIOACTIVE MATERIALS LICENSE**

Page 3 of 4 Pages

3. License Number 2688-3947

5a. Ref. No. 2

b. Amend. No. ---

16. A. The licensee shall maintain a utilization log containing the identification of sources used, dates removed and returned to storage, the location of use, the identity of user, and the daily check of sliding blocks required by Condition 21.
- B. The log shall be kept at the location of storage and shall contain sufficient detail to enable the licensee to inform the Department at any time, of the exact location of each source.
17. Current copies of the following documents shall be maintained at temporary job sites for Department inspection:
- A. The manufacturer's instruction manual and the licensee's operating and emergency procedures.
- B. A copy of the results of the latest test for leakage and/or contamination performed on the sealed sources.
18. A. In the event of a serious incident involving licensed material, including but not limited to, the theft or loss of a gauge, or damage to a gauge, the Department shall be notified immediately by telephone. Subsequent information about the incident acquired by the licensee shall be reported as it is received. All gauge users must carry the NYSDOL's current telephone number in their emergency procedures.
- B. In the event that a gauge is damaged, the gauge and surrounding area shall be surveyed with an appropriate survey meter, and the results of the survey shall be reported to and approved by the Department before the gauge is removed from the site.
19. A. The licensee shall ensure that all persons authorized to use portable gauges comply with safe use and maintenance procedures and that they do not leave a gauge unattended or unsecured at any time, even for a few minutes.
- B. Each gauge shall be maintained as prescribed by the manufacturer. In particular, the licensee must take such actions as are necessary to keep gauges in compliance with the Sealed Source & Device Registry sheets for the devices, including any recalls, safety retrofits, inspections or other actions specified by the device manufacturer.
- C. Licensees shall ensure that gauges are only used by individuals who have received the required training, and who follow prescribed procedures. Any evidence of abuse, mishandling or failure to perform necessary maintenance by a worker must be addressed and corrected.
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 Section 38.7 of 12 NYCRR 38 for establishing decommissioning financial assurance.



STATE OF NEW YORK - DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH

**RADIOACTIVE MATERIALS LICENSE**

Page 4 of 4 Pages

3. License Number 2688-3947

5a. Ref. No. 2

b. Amend. No. ---

21. Each gauge shall be inspected on each day of use before use, and upon its return to storage, to ensure proper operation of all safety features including the following:
- A. Turn the gauge over and visually verify that the tungsten sliding block is completely closed, keeping as much distance as possible between you and the base of the gauge. If any portion of the opening is uncovered, the sliding block must be cleaned and returned to the fully closed position before transporting, using, or storing the gauge. The manufacturer's instructions for cleaning the sliding block must be followed.
  - B. If a radiation survey meter is available, and in good working order, radiation levels at the gauge surface shall also be checked. The exposure rate should be approximately 10-20 mrem per hour.
  - C. If a sliding block is found to be partially or fully open, the Department of Labor must be notified by telephone within 24 hours.
22. Each portable nuclear 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.
23. Except as specifically provided otherwise in this License, the licensee shall conduct its program in accordance with the statements, representation and procedures contained in the documents, including any enclosures, listed below. The Department's Regulations shall govern, unless the statements, representation and procedures in the licensee's application and correspondence are more restrictive than the Regulations.
- A. License Renewal Request dated April 4, 2001, signed by James F. McGee.
  - B. Renewal Application dated May 2, 2001, signed by James F. McGee.
  - C. Letter dated June 6, 2001, signed by James F. McGee.

Linda Angello  
COMMISSIONER OF LABOR

by: Clayton J. Bradt, CHP  
Principal Radiophysicist

DATE:  
WTV:wp

## POSTING REQUIREMENT:

COPIES OF THIS NOTICE MUST BE POSTED WHERE EMPLOYEES, WORKING IN OR FREQUENTING ANY PORTION OF THE CONTROLLED AREAS, CAN OBSERVE A COPY ON THE WAY TO OR FROM THEIR PLACE OF EMPLOYMENT.

STATE OF NEW YORK  
DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH



RADIOLOGICAL HEALTH UNIT  
STATE CAMPUS, BUILDING 12  
ALBANY, NEW YORK 12240

# NOTICE TO EMPLOYEES STANDARDS FOR PROTECTION AGAINST RADIATION

## WHAT THESE STANDARDS COVER

1. Limits on exposure to radiation and radioactive material in controlled and uncontrolled areas;
2. Instructions to be given to workers;
3. Personnel monitoring, surveys and equipment;
4. Caution signs, labels, and safety interlock equipment;
5. Exposure records and reports; and
6. Related matters.

## RADIATION EXPOSURE

If you work where personnel monitoring equipment is required, the New York State Department of Labor requires your employer to provide you with an annual written report of your exposure to radiation. Also, you may request a report at the time that you terminate employment. The New York State Department of Labor also requires your employer to give you a written report if you receive any exposure in excess of the limits set for occupational exposure.

## YOUR EMPLOYER'S RESPONSIBILITY

The possession and use of radiation sources for industrial and commercial purposes in New York State is regulated by the Radiological Health Unit of the New York State Department of Labor, under "Ionizing Radiation Protection" (Code Rule 38).

The Department requires that:

1. all significant radiation sources in this installation be either registered or licensed; and
2. a copy of the applicable regulations, the license and/or registration and specific operating procedures which apply to the workers be posted or otherwise be available to every worker in a controlled area, and relevant provisions be explained to the workers.

## YOUR RESPONSIBILITY AS A WORKER

You should familiarize yourself with the provisions of Code Rule 38, and the license and registration and operating procedures which apply to the work in which you are engaged. You should observe these provisions for your own protection and the protection of your co-workers.

## INSPECTIONS AND COMPLAINTS

All activities licensed by the Department of Labor's Radiological Health Unit, are inspected on a regular basis by specialists from the unit. Also, any employee who believes that a violation or an imminent danger exists may request an inspection by calling the number listed under "Inquiries" below. Your identity will be protected at your request.

## RETALIATION FOR COMPLAINTS

State law protects you from retaliatory personnel actions by your employer, if you follow its provisions. Contact the office listed below under "Inquiries" for a copy of the law.

## INQUIRIES

Any questions dealing with the matter outlined above can be directed to the State of New York, Department of Labor, Division of Safety and Health, Radiological Health Unit, State Campus - Building 12, Albany, NY 12240, or by calling the Unit at (518) 457-1202.

THE RADIATION SAFETY OFFICER FOR THIS INSTALLATION IS:

FRED RASSMAN

HE OR SHE MAY BE CONTACTED AT THE FOLLOWING NUMBER:

(716) 268-7686

CODE RULE 38, THE INSTALLATION'S LICENSE OR REGISTRATION,  
AND THE OPERATING PROCEDURES ARE LOCATED AT:

7610 County Route 65

Hornell, N.Y. 14843



STATE OF NEW YORK  
DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH  
Radiological Health Unit  
Building #12, Room 134-A  
State Office Building Campus  
Albany, NY 12240

February 14, 1994

TO: All Radioactive Material License Holders

**PORTABLE RADIATION SOURCES: STORAGE AND SECURITY**

BACKGROUND

Previous notices to our licensees have advised you of problems resulting from loss of control over radiation sources. These included excessive radiation levels, damage to radioactive devices, loss of devices, and sources smelted in scrap. It has become apparent that a common cause of loss of control over portable radiation sources (such as moisture density gauges and lead-in-analyzers) is deliberate failure of the licensee to respect and adhere to regulatory requirements. Recent inspections and incident follow-ups have revealed a pattern of non-compliance by some licensees and the purpose of this notice is to clarify requirements and make it clear that *non-compliance will not be tolerated*.

REGULATORY REQUIREMENTS

In obtaining a license from this Department to possess and use radiation sources in portable devices, you agreed to comply with conditions of your license and with Code Rule 38. Among other things, this means that:

1. You may receive and store devices only at the locations authorized in the license, and you may not change a storage location without the PRIOR approval of the Department.
2. The devices may be transported (in accordance with USDOT regulations and procedures approved by this Department) for use at temporary job sites, and you may not change procedures for such transport and use without the PRIOR approval of the Department.
3. Transport and use of licensed devices may ONLY be by your personnel who have received the required training.
4. Temporary storage of licensed devices in vehicles may ONLY be for purposes of transport to a work site. The vehicle may not be used for other purposes (e.g., domestic use) while it contains the device or carrying passengers who are not involved in work under the license, and such storage must be temporary and unavoidable. If at all possible, devices are to be returned to an approved storage facility at the end of the day.

## ACTION TO BE TAKEN BY LICENSEES

The regulatory requirements described in this notice apply to all licensees and are based on common sense and the lessons learned from mishaps.

Storage of licensed sources and devices in a vehicle is much riskier than storage at a fixed location and has been a factor in all the thefts investigated by this Department, including two within the past month. Licensees must ensure that such storage is only for purposes of transport to a job site, and only utilized when return to the approved storage facility is not practical or possible.

Once a vehicle contains a licensed source or device it is not to be used for domestic purposes, and the vehicle must be parked in the most secure area available and closely attended.

Storage facilities for sources and devices are carefully reviewed by this Department before approval and may not be modified or changed without prior approval.

Radioactive materials licenses are issued to an individual firm and authorize possession and use of sources and devices only by that firm and its properly trained employees. Under no circumstances may a licensee allow a licensed source or device to be in the possession or under the control of other persons. The only exception to this rule is permanent transfer of a source to another person or firm licensed to possess it.

You must ensure that all personnel who work under your license are familiar with the regulatory requirements described in this notice, and you must ensure compliance with the requirements. Failure to do so will result in enforcement actions that could modify, suspend or revoke your license. Unlicensed individuals or firms with which you do business should be advised of these requirements if they request to use a licensed device. Possession of a source or device without a valid license is also a violation of Code Rule 38 and any person or firm engaging in such an activity is also subject to enforcement action by the Department.



STATE OF NEW YORK  
DEPARTMENT OF LABOR  
DIVISION OF SAFETY AND HEALTH  
Radiological Health Unit  
Building #12, Room 134 A  
State Office Building Campus  
Albany, NY 12240

December 10, 1997

**TO:** Portable Gauge and Industrial Radiography Licensees

**FROM:** Rita Aldrich

**SUBJECT:** Preventing Accidents through Training & Maintenance

Background

Recent incidents involving portable gauges and industrial radiography devices have resulted in detached or disconnected sources, and unnecessary radiation exposure to workers. Some of these incidents, perhaps all, could have been prevented by better training of staff in proper use and maintenance of equipment, closer oversight of staff in the handling of equipment and an effective program of routine maintenance for portable gauges and radiography equipment.

In three recent cases of disconnected or stuck radiography sources, the manufacturer found no problems or defects in the equipment used, suggesting that user error caused the failures.

In a recent case of a rod source which became detached from a portable gauge, there was visible evidence of poor maintenance and abuse. This included evidence of severe hammer blows to the top and sides of the gauge handle, and unlubricated and dirty bushings. During this incident, two licensee staff (including the Radiation Safety Officer) picked up and manipulated the detached source with their hands, forced the source back into the gauge body, and shipped the broken gauge to the manufacturer in violation of transport regulations.

In another recent gauge accident, a worker left a gauge lying where it was crushed by heavy equipment. Also, although the licensee was instructed by this office not to remove the gauge from the accident site until a survey was done, the licensee did not comply. Luckily, subsequent surveys by our staff found that the source and its shielding were intact.

Actions to be Taken by Licensees:

1. All licensees are required to oversee the activities of persons who perform work under the license, and ensure that they comply with regulations, and with safe use and emergency procedures for authorized radiation sources.

In several recent accidents, licensee staff have failed to notify this office of the accident as required by standard license conditions, have engaged in an unauthorized radiography source retrieval operation, have ignored emergency procedures committed to in the license application, and have abused or failed to properly maintain equipment.

Licensees should include safe use and emergency procedures in annual and refresher training, and determine by written or oral testing that staff understand and will follow them.

Licensees should also include observations of how staff handle equipment in actual use situations, as well as an evaluation of how equipment is being maintained, in their periodic audits. All licensees are required to perform annual audits of their radiation protection program and the performance of their RSO, and industrial radiography licensees are also required to perform semi-annual field audits for all radiography staff.

**Our inspectors will be reviewing training and audit records for evidence that these topics are covered.**

2. All licensees must maintain devices containing radioactive materials in accordance with the manufacturer's specifications, including maintenance frequency recommendations.

In the case of moisture density gauges with rod sources, the weld area needs to be examined periodically by the manufacturer. This is especially true of older gauges or those that are heavily used.

**Our inspectors will be reviewing maintenance records for evidence that the manufacturer's prescribed maintenance is being performed on a routine basis, that equipment is not visibly damaged or showing signs of abuse, and that gauges are inspected periodically by the manufacturer.**

Summary:

Some accidents may be unavoidable, regardless of the precautions taken. However, proper maintenance and training, and worker compliance with licensed procedures, would either have prevented the accidents that our licensees have experienced over the past year, or resulted in a safer outcome.

No response to this notice is necessary, since it imposes no new requirements.