

APPROVED BY OMB: NO. 3150-0013 EXPIRES: 08/31/2003
 Estimated burden per response to comply with this mandatory collection 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 safety. Send comments regarding burden estimate to the Record Management Branch (7-6 EB), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to: infocollections@nrc.gov, and to the Desk Officer, Office of Management and Regulatory Affairs, NEOB-10202, (3150-0013), Office of Management and Budget, Washington, DC 20503. If a means used to improve an information collection does not display a currently valid OMB collection number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

REPORT OF PROPOSED ACTIVITIES IN NON-AGREEMENT STATES, AREAS OF EXCLUSIVE FEDERAL JURISDICTION, OR OFFSHORE WATERS

(Please read the instructions before completing this form)

1. NAME OF LICENSEE (Person or firm proposing to conduct the activities described below) PECKHAM MATERIALS CORP.		2. TYPE OF REPORT <input checked="" type="checkbox"/> INITIAL <input type="checkbox"/> REVISION <input type="checkbox"/> CLARIFICATION	
3. ADDRESS OF LICENSEE (Mailing address or other location where license may be located) P.O. Box 3779 Route 28 Kingston, N. Y. 12402		4. LICENSEE CONTACT AND TITLE Michael B. Haggerty, RSO	
		5. TELEPHONE NUMBER (include Area Code) 845-331-4148	6. FACSIMILE NUMBER (include Area Code) 845-331-9776

7. ACTIVITIES TO BE CONDUCTED UNDER THE GENERAL LICENSE GIVEN IN 10 CFR 150.20

WELL LOGGING LEAK TESTING AND/OR CALIBRATIONS TELETHERAPY/IRRADIATOR SERVICE

PORTABLE GAUGES OTHER (Specify) \Rightarrow _____

RADIOGRAPHY \Rightarrow _____

REGISTERED AS USER OF PACKAGING (CERTIFICATES OF COMPLIANCE NUMBERS): _____

8. CLIENT NAME, ADDRESS, CITY/COUNTY, STATE, ZIP CODE Reclamation Inc. Of Kingston P.O. Box 292 West Hurley, N. Y. 12491		9. ACTUAL PHYSICAL ADDRESS OF WORK LOCATION (Street and Number or other location. Give as complete an address or directions as possible) Sparta Township, Sparta NJ (additional Locations attached)	
		10. CLIENT TELEPHONE NUMBER (include Area Code) 845-331-6500	11. WORK LOCATION TELEPHONE NUMBER (include Area Code) 845-283-3755

12. DATES SCHEDULED		13. NUMBER OF WORK DAYS	14. ADD	15. DELETE	16. LOCATION REFERENCE NUMBER
FROM 5/27/03	TO 5/27/03	1			NUMBER TO BE ASSIGNED BY NRC 000716

LIST ADDITIONAL WORK SITES ON SEPARATE SHEET(S) TO INCLUDE ALL INFORMATION CONTAINED IN ITEMS 9-16 ABOVE.

17. LIST RADIOACTIVE MATERIAL, WHICH WILL BE POSSESSED, USED, INSTALLED, SERVICED, OR TESTED (include description of type and quantity of radioactive material, sealed sources, or devices to be used.)

**Cesium 137-Sealed Sources
Americium 241: Beryllium - Sealed Sources**

18. AGREEMENT STATE SPECIFIC LICENSE WHICH AUTHORIZES THE UNDERSIGNED TO CONDUCT ACTIVITIES WHICH ARE THE SAME EXCEPT FOR LOCATION OF USE AS SPECIFIED IN ITEM 9 ABOVE. (Four copies of the specific license must accompany the initial NRC form 241)	LICENSE NUMBER 2820-4057	STATE NY	EXPIRATION DATE 6/30/04
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19. CERTIFICATION (MUST BE COMPLETED BY APPLICANT)

I, THE UNDERSIGNED, HEREBY CERTIFY THAT:

- All information in this report is true and complete.
- I have read and understand the provision of the general license 10 CFR 150.20 reprinted on the instructions of this form; and I understand that I am required to comply with these provisions as to all byproduct, source, or special nuclear material which I possess and use in non-Agreement States or offshore waters under the general license for which this report is filed with the U.S. Nuclear Regulatory Commission.
- I understand that activities, including storage, conducted in non-Agreement States under general license 10 CFR 150.20 are limited to a total of 150 days in calendar year. With the exception of work conducted in off-shore waters, which is authorized for an unlimited period of time in the calendar year.
- I understand that I may be inspected by NRC at the above listed work site locations and at the Licensee home office address for activities performed in non-Agreement States or offshore waters.
- I understand that conduct of any activities not described above, including conduct of activities on dates or locations different from those described above or without NRC authorization, may subject me to enforcement action, including civil or criminal penalties.

CERTIFYING OFFICER - RSO or Management Representative (Name and Title) Michael B. Haggerty, RSO	SIGNATURE <i>Michael B. Haggerty</i>	DATE 5/19/03
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WARNING: False statements in this certificate may be subject to civil and/or criminal penalties. NRC regulations require that submissions to the NRC be complete and accurate in all material respects. 18 U.S.C. Section 1001 makes it a criminal offense to make a willfully false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

FOR NRC USE ONLY	REVIEWING OFFICIAL (Typed/Printed Name and Title) <i>John M. Smith</i>	SIGNATURE <i>John M. Smith</i>	DATE 5/23/03	TOTAL USAGE -- DAYS TO DATE 1
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5/22/03

CURRENT STATE OF NEW JERSEY JOBS

SPARTA TOWNSHIP - DATE 5/27/03 # 000716

ADDITIONAL WORK SITES:

SUSSEX COUNTY DEPARTMENT OF PUBLIC WORKS, Sussex NJ # 000717

VERNON TOWNSHIP, Vernon NJ # 000718



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

RADIOACTIVE MATERIALS LICENSE

DL 01-102

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	
Peckham Materials Corporation		2820-4057	
FEIN: 14-1470013		4. EXPIRATION DATE	
PHONE: (914)949-2000		June 30, 2004	
2. ADDRESS OF LICENSEE		Sa. REFERENCE No. b. AMENDMENT No.	
Route 28		1 1	
Kingston, New York 12401			
6. RADIOACTIVE MATERIALS (element, in mass number)	7. CHEMICAL AND/OR PHYSICAL FORM	8. MAXIMUM QUANTITY LICENSEE MAY POSSESS AT ANYONE 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 the address indicated in Condition 2 herein, 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.

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

RADIOACTIVE MATERIALS LICENSE

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3. License Number 2820-4057

5a. Ref. No. -1-

b. Amend. No. -1-

(Condition 10 continued)

- 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, Michael Haggerty (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.



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RADIOACTIVE MATERIALS LICENSE

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3. License Number 2820-4057

5a. Ref. No. -1-

b. Amend. No. -1-

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 12NYCRR 38 for establishing decommissioning financial assurance.



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DIVISION OF SAFETY AND HEALTH

RADIOACTIVE MATERIALS LICENSE

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3. License Number 2820-4057

5a. Ref. No. -1-


b. Amend. No. -1-

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. Application dated May 13, 1998, signed by Michael Haggerty, Plant Manager, with attachments.
 - B. Letter dated June 6, 1998, signed by Michael Haggerty, Plant Manager, with attachments.
 - C. License Renewal Request dated April 3, 2001, signed by John R. Peckham, CEO.

DATE: 4/30/01
CJB:wp

Linda Angello
COMMISSIONER OF LABOR

by:


Clayton J. Bradt, CHP
Principal Radiophysicist

PECKHAM MATERIALS CORP.



FAX

Date 5/22/03

Total pages incl. COVER 8

TO: SHERYL VILLAR
NUCLEAR REGULATORY
COMMISSION

FROM:
MICHAEL B. HAGGERTY, RSO

PECKHAM MATERIALS CORP.
Route 28, UPO BOX 3779
KINGSTON, N. Y. 72402
Phone: 845-331-4148
Fax: 845-331-9776

fax Phone: 1-610-337-5269

CC:

REMARKS: *Urgent* *For your review* *Reply ASAP* *Please Comment*

ATTACHED YOU WILL FIND:

NRC 241 FORM

COPY OF OUR CHECK IN THE AMOUNT OF \$1400.00

COPY OF OUR NEW YORK STATE LICENSE

**WE WILL FED EX ALL ORIGINALS TO YOU, PLEASE CONTACT OUR OFFICE WITH
THE LOCATION REFERENCE NUMBER THAT WILL BE ASSIGNED BY YOUR
DEPARTMENT. (OUR FAX 845-331-9776)**

THANK YOU.

MacLave

PCode 03121

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