

From:

05/23/2003 07:26 #253 P.003/007



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF COMMUNITY & PUBLIC HEALTH

6 HAZEN DRIVE, CONCORD, NH 03301-6527  
603-271-4588 1-800-852-3345, Ext. 4588 TDD Access: 1-800-735-2964

Nicholas J. Vailas  
Commissioner

Kathleen A. Dunn  
Director

May 14, 2003

John Turner Consulting, inc.  
ATTN: John Turner  
818 Central Avenue  
Dover, New Hampshire 03820

RE: License No. 423R

Gentlemen:

We transmit herewith the amendment renewing Radioactive Material License No. 423R issued in response to your application dated April 3, 2003.

Review the enclosed document carefully. If there are any errors or questions, please notify the Department of Health and Human Services' Bureau of Radiological Health ("Agency") so that we can provide appropriate corrections and answers. For your use, we have also enclosed the latest revision of Form RHP-5, "Notice to Employees." This form must be posted in all appropriate locations.

We remind you that you must conduct your program involving radioactive materials in accordance with the New Hampshire Rules For The Control of Radiation (NHRCR) and the conditions of your license, including any and all statements and representations contained in referenced documents.

If we can be of any assistance to you in your radiation safety program, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Dennis P. O'Dowd".

Dennis P. O'Dowd, Supervisor  
Radioactive Material Section  
Bureau of Radiological Health

Enc: Amendment No. 7, License No. 423R  
Form RHP-5

DPO:pjd

FORM BRH-2B

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STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE OF COMMUNITY & PUBLIC HEALTH  
BUREAU OF RADIOLOGICAL HEALTH

**RADIOACTIVE MATERIAL LICENSE**

Pursuant to the State of New Hampshire, Department of Health and Human Services' Bureau of Radiological Health regulations and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, own, 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, regulations, and orders of the Department of Health and Human Services' Bureau of Radiological Health now or hereafter in effect and to any conditions specified below.

<b>LICENSEE</b>		<b>3. LICENSE NUMBER</b> 423R	<b>AMENDMENT NUMBER</b> 07
1. NAME	John Turner Consulting, Inc.	<b>4. EXPIRATION DATE</b> June 30, 2004	
2. ADDRESS	\$18 Central Avenue Dover, New Hampshire 03820	<b>5. CATEGORY</b> Gauges (Portable)	
<p>In accordance with application for renewal dated April 3, 2003, signed by John B. Turner, President, New Hampshire Radioactive Material License No. 423R is hereby extended to the date specified in Condition 4 above.</p>			
<b>6. RADIOACTIVE MATERIAL (ELEMENT AND MASS NUMBER)</b>	<b>7. CHEMICAL AND/OR PHYSICAL FORM</b>	<b>8. MAXIMUM AMOUNT OF RADIOACTIVITY WHICH LICENSEE MAY POSSESS AT ONE TIME.</b>	
A. Cesium 137	A. Sealed sources (Amersham Corporation Model No. CDCW556 or Isotope Products Laboratories Model No. HEG-0057)	A. No single source to exceed 9 millicuries; 8 sources total.	
B. Americium 241; Beryllium	B. Sealed sources (Amersham Corporation Model No. AMNV-997 or Isotope Products Laboratories Model HEG-0058)	B. No single source to exceed 44 millicuries; 8 sources total.	

**9 AUTHORIZED USE**

A. and B. To be used in Troxler Electronic Laboratories, Inc., Model 3400 Series portable surface moisture and density gauges for the measurement of moisture and density of soils, aggregates and paving materials.

**CONDITIONS**

10. Radioactive material may be stored at the licensee's facilities located at 818 Central Avenue, Dover, New Hampshire and 21 West Auburn Street, Unit #5, Manchester, New Hampshire. Radioactive material may be used at temporary job sites of the licensee anywhere in the State of New Hampshire where the Bureau of Radiological Health (Bureau) maintains jurisdiction for regulating the use of radioactive material.

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State of New Hampshire  
Department of Health and Human Services  
Office of Community & Public Health  
Bureau of Radiological Health

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Amendment No. 07

## Radioactive Material License

## Supplementary Sheet

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11. This license is subject to an annual fee in accordance with Part He-P 4070, New Hampshire Rules for the Control of Radiation (NHRCR), for the applicable amount specified in Table 4070.1 of that Part.
12. The licensee shall comply **with** the provisions of Parts He-P 4001, 4003, 4319, 4020, **4023**, 4022 and 4023, NHRCR.
13. A. Radioactive material listed in Condition 6 above shall only be used by John Turner, Clifford Jones, Jr., or individuals who have satisfactorily completed the manufacturer's training for **gauge users**, or other training course approved by the Bureau, and in addition have received the training described in application dated March 11, 1998, and letter dated May 26, 1998, and have been approved in writing by the Radiation Safety Officer. The licensee shall maintain records of individuals designated as users and their training for 5 years following the last use of licensed material by the individual.  
B. The individual designated to perform the functions of Radiation Safety Officer (RSC) for activities authorized by this license is John Turner.
14. A. Each sealed source containing radioactive material other than Hydrogen 3, with a half-life greater than 30 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**, 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 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 tests results shall be kept in units of microcuries and maintained for inspection by the Bureau.**  
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 the NHRCR. A report shall be filed within five days of the test with the Bureau of Radiological **Health, Wealth & Welfare Building**, 6 Hazen Drive, Concord, NH 03301-6527, describing the equipment involved, the test results, and the corrective action taken.  
D. The licensee is authorized to collect **leak test samples** only for analysis by Troxler Electronics Laboratories, Inc. Alternatively, complete **tests** for leakage and/or contamination (**sample collection and analysis inclusive**) shall be performed by persons specifically licensed by the **Bureau**, the U.S. Nuclear Regulatory Commission (NRC) or an Agreement State, to **perform** such service.
15. Sealed sources containing radioactive material **shall** not be opened or removed from the gauges by the licensee.
16. Maintenance or repair of portable devices involving removal of **sealed** sources from the device or removal or dismantling of shielding may be performed only by the device manufacturer or by other persons specifically authorized by the Bureau, the NRC or an Agreement State, to perform such services.

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17. The licensee shall conduct a physical inventory every six (6) months to account for all licensed devices 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 Bureau, and shall include the quantities and kinds of radioactive material, location of sealed sources, and the date of the inventory.

18. 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 shall be locked when in transport or when not under the direct surveillance of an authorized user.

19. The licensee shall maintain a daily utilization log for the devices listed in Condition 9 at the main facility address specified in Condition 10, and also the sub-site facilities. The log shall include the name of the authorized user with the device, the place of intended use, and the date the device was removed and returned to storage.

20. The licensee who uses a gauging device for testing at field sites shall possess at such locations a current copy of the license, the current leak test certificate and the licensee's operating and emergency procedures.

21. The licensee may transport licensed material or deliver licensed material to a carrier for transport in accordance with the provisions of Section He-P 4037.06, NHRCR, the regulations of the New Hampshire Department of Safety, and the U.S. Department of Transportation.

22. Except as specifically provided otherwise by this license, the licensee shall possess and use the radioactive materials authorized by this license in accordance with statements, representations, and procedures contained in the documents, including any enclosures, listed as follows:

- application dated March 11, 1998
- letters dated May 26, 1998
- July 26, 1999
- July 27, 1999
- August 3, 1999
- August 2, 2000

The NHRCR shall prevail over the statements contained in the above documents unless such statements are more restrictive than the Rules.

For the Department of Health and Human Services  
Office of Community & Public Health

Dennis P. O'Dowd, Supervisor  
Radioactive Materials Section  
Bureau of Radiological Health

DATE OF ISSUANCE  
May 14, 2003



State of New Hampshire

Department of Health &amp; Human Services

# Notice to Employees

The New Hampshire Department of Health & Human Services' Bureau of Radiological Health ("Bureau") has established standards for your protection against radiation hazards and certain options for individuals engaged in work under a Bureau license or registration. These standards and options are contained in the New Hampshire Rules for the Control of Radiation. These are referred to as "the Rules" below.

## Your employer's responsibility -

Your employer is required to:

- Apply the Rules to work involving sources of radiation.
- Post copies of certain parts of the Rules, any licenses and registration certificates, and operating procedures which apply to your work, or a notice describing them and their location.
- Develop, document, and implement a radiation protection program and instruct you accordingly.
- Post any Notice of Violation involving radiological working conditions, proposed imposition of civil penalties, and orders.

## Your responsibility -

You also need to do some things for your safety and that of others:

- Be familiar with your operating procedures, any controls and safety devices, and the Rules applicable to your work.
- Abide by those procedures and the Rules.
- Report to your employer conditions or activities which are unsafe or could cause accidents or violations of the Rules.

## What the Rules cover -

- Limits on exposure to radiation and radioactive material of adults and minors, declared pregnant women and their fetuses, and individual members of the public.
- Steps to be taken after an accidental exposure.
- Personnel monitoring, surveys, and equipment.
- Caution signs, labels, and safety equipment.
- Exposure records and reports.
- Options for workers regarding Bureau inspections.
- Related matters.

## Reports on your radiation exposure history -

Your employer must give you a written report:

- If you receive an exposure in excess of any applicable limit as set out in the Part He-P 4020 of the Rules or in a license issued by the Bureau.
- If you work where personnel monitoring is required by the Rules. Your employer must advise you annually of your exposure to radiation and intakes of radioactive material and give you a written report of your radiation exposures upon termination of your employment.

## Inspections -

- The Bureau of Radiological Health has the authority under state law and the Rules to inspect sources of radiation, activities and records involving sources, and the facilities and premises where they are used or stored.
- You or your representative have a right to accompany inspectors, to speak privately with them, and to bring to an inspector's attention any past or present condition which you believe caused or may cause any overexposure or violation of the rules.
- You or your representative may file with the Bureau a signed, written request for an inspection. The request must give specific grounds for believing that a violation of the law, these rules, or a condition of a license exists or has occurred.

## Inquiries -

Questions about the matters outlined above may be addressed to:

Bureau of Radiological Health  
6 Hazen Drive  
Concord, NH 03301-6527  
Tel. 603-271-4588  
Fax 603-225-2325

## Posting Requirement

This notice must be posted in a sufficient number of places to permit individuals working under a Bureau license or registration to observe it on the way to or from any work location to which it applies, be conspicuous, and be replaced if defaced or altered.

(Rev. 5, 06/1999)