

MATERIALS LICENSE

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. Shaw Environmental and Infrastructure, Inc.</p> <p>2. 11560 Great Oaks Way Suite 500 Alpharetta, Georgia 30022-2424</p>	<p>In accordance with the application dated December 22, 2003</p> <p>3. License No. 10-25362-01 is renewed in its entirety to read as follows:</p> <hr/> <p>4. Expiration Date: March 31, 2014</p> <hr/> <p>5. Docket No. 030-34194 (Reference No. 39-25250-01)</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material with atomic numbers 1 through 92</p> <p>B. Any source material</p> <p>C. Any byproduct material with atomic numbers 93 and above</p> <p>D. Any special nuclear material</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p> <p>D. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 3.7 terabecquerels [100 curies (Ci)] total</p> <p>B. 5 000 kilograms total</p> <p>C. 370 gigabecquerels (10 Ci)</p> <p>D. 350 grams uranium 235, or 200 grams plutonium or 200 grams uranium 233, or any combination of these provided the sum of the ratios of the quantities does not exceed unity</p>
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9. Authorized Use:
- A. through D. For receipt, storage, use, and or possession incident to any activity as follows:
- 1) Decontamination of facilities, equipment and containers;
 - 2) Solidification and treatment of Wastes;
 - 3) Packaging for transport;
 - 4) Any activity related to site characterization; and
 - 5) Transport, in packages or containers approved for use under the provisions of 10 CFR Part 71, for transfer to licensees authorized to receive the materials, in accordance with the terms and conditions of licenses issued by NRC or an Agreement States.

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CONDITIONS

10. A. Licensed material shall be used only at temporary job sites of the licensee anywhere in the United States where the U. S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.

This license does not authorize activities within Agreement States except for facilities for which a determination has been made for federal exclusive legislative jurisdiction. Activities elsewhere in Agreement States is regulated by the regulatory authority of the Agreement State, subject to the Agreement State's regulations concerning use of licensed materials and activities.

- B. At least 3 days before initiating activities at a temporary job site, the licensee shall notify, in writing, the U. S. Nuclear Regulatory Commission, Region I, ATTN: Chief, Nuclear Materials Safety Branch 3, Division of Nuclear Materials Safety, 475 Allendale Road, King of Prussia, Pennsylvania 19406-1415.

The notification shall include the following information:

- 1) Estimated type, quantity, and physical/chemical form(s) of material;
- 2) Specification of site location;
- 3) Description of project activities including waste management and disposition;
- 4) Estimated project start date and duration; and
- 5) Identification of, and information on how to contact, key project personnel.

- C. Except for licensee owned calibration sources, reference standards, and radioactively contaminated equipment, the possession of licensed material at a temporary job site shall be limited to radioactive material originating at each site. This material must either be transferred to a licensed recipient, or the material must remain at the site after activities authorized by this license are completed. This does not prohibit the transfer of environmental samples for RCRA treatability studies and analysis or contaminated equipment for decontamination to authorized recipients.

11. The licensee may maintain records pertaining to radiation safety and materials use at the offices of:

Timothy J. Fralix
Radiation Safety Officer
Shaw Environmental, Inc.
11560 Great Oaks Way, Suite 500
Alpharetta, Georgia 30022-2424

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12. The Radiation Safety Officer (RSO) for the activities authorized by this license is Timothy J. Fralix.
13. Licensed material shall be used by, or under the supervision of, individuals designated by the RSO. Individuals shall be trained in the licensee's operating and emergency procedures. The licensee shall maintain records of individuals designated and their qualifications to supervise or use licensed materials for five years following the individuals last use of licensed material.
14. This license does not authorize the import of byproduct material wastes.
15. The licensee may transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
16. This license does not authorize Shaw Environmental, Inc. (the licensee) to perform uses of licensed material which are specifically authorized on their customer's NRC or Agreement State license. If a customer holds an NRC or an Agreement State license, the notification required by License Condition No. 10.B shall include a written agreement between the licensee and the customer specifying which licensee activities shall be performed under the customer's license and supervision, and which licensee activity shall be performed under the licensee's supervision pursuant to this license. The agreement shall include a commitment by the licensee and the customer to ensure safety, and any commitments by the licensee to help the customer clean up the site if there is an accident.
17. If approved by the RSO, the licensee may take reasonable action in an emergency that departs from the conditions in this license when the action is immediately needed to protect public health and safety and no action consistent with all license conditions that can provide adequate or equivalent protection is immediately apparent. The licensee shall notify the NRC before, if practicable, and in any case immediately after taking such emergency action, using the reporting procedure specified in 10 CFR 30.50(c)(1) and (c)(2).
18. At the completion of activities at each job site location, the licensee shall notify U. S. Nuclear Regulatory Commission, Region I, at the address in Condition 10.B. of the temporary job site status and the disposition of the licensed material.
19. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
20. A. Sealed sources and 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.

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20. C. In the absence of a certificate from a transferor indicating that a leak test has been made within six months prior to the transfer, a sealed source or detector cell 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;
 - ii) they contain only a radioactive gas;
 - iii) the half-life of the isotope is 30 days or less;
 - iv) they contain not more than 3.7 megabecquerels (MBq) [100 microcuries (μCi)] of beta and/or gamma emitting material or not more than 0.37 MBq (10 μCi) 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.
- E. The leak test shall be capable of detecting the presence of 185 becquerels (Bq) (0.005 μCi) of radioactive material on the test sample. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. If the test reveals the presence of 185 Bq (0.005 μCi) or more of removable contamination, a report shall be filed with the U. S. Nuclear Regulatory Commission at the address specified in 10 CFR 30.50, and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall specify the source involved, the test results, and corrective action taken. Records may be disposed of following Commission inspection.
- F. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
21. Pursuant to 10 CFR 30.11, 40.14, 70.14 and License Condition 10.C, the licensee is exempted from the requirements of 10 CFR 30.35, 40.36, and 70.25 to establish decommissioning financial assurance.
22. The licensee is not required to establish an emergency plan pursuant to the requirements of 10 CFR 30.32(i), 40.31(j), and 70.22(i) for activities at temporary job sites, provided that at least one of the following conditions is met prior to taking possession of licensed material in quantities requiring an emergency plan:
- A. Obtain written NRC approval of its evaluation demonstrating that an emergency plan is not required by these regulations, or

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22. B. Submit written confirmation to the U.S. Nuclear Regulatory Commission, Regional Administrator, RII, at the address specified in Condition 10.B, that licensee personnel have been trained and will follow the provisions of an existing emergency plan approved by NRC or an Agreement State for the temporary job site.
23. Pursuant to the provisions of 10 CFR 30.35(g), 40.36(f) and/or 70.25(g), the licensee shall maintain records of information important to safe and effective decommissioning at each temporary job site. These records shall be made available to the customer upon request. At the completion of activities at a temporary job site, the licensee shall transfer these records to the customer for retention until the site is released for unrestricted use.
24. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
25. 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 U. S. 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 22, 2003
- B. This license supercedes license number 39-25250-01. All exposure data will be retained under this license.
- C. Letters dated:
- 1) April 29, 2002 [change of control commitments and agreements for Shaw Environmental, Inc. NUREG 1556 information]
 - 2) April 29, 2002 [amendment request]

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DATE March 16, 2004

BY /RA/
David J. Collins, Health Physicist
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406-1415