



Reply to:  **Main Office**  
922 Route 33 • Freehold, NJ 07728  
Tel: 732-431-1440 • Fax: 732-308-0943  
[www.abbington-associates.com](http://www.abbington-associates.com)  
e-mail: [general@abbington-associates.com](mailto:general@abbington-associates.com)

Reply to:  **Branch Office**  
127 Rt. 206, Suite 36 • Hamilton, NJ 08610  
Tel: 609-888-4001 • Fax: 609-888-4002

February 23, 2005

Region One Office  
Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

29-30136 01  
03036031

05  
MAR -1 AM 1:03  
RECEIVED  
REGION 1

**RE: Termination of License for Nuclear Moisture Density Gauge**

To Whom It May Concern:

Abbington Associates, Inc. is formally requesting the termination of our license to possess and operate a nuclear moisture density gauge and specifically, our gauge Serial No. 2959, Humbolt 5001EZ. A copy of our license is enclosed for your ready reference.

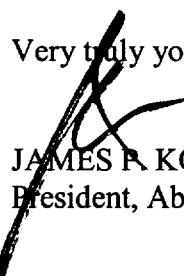
We are requesting the termination of this as we have not found a sufficient need for the gauge in our business to justify the \$2,500.00 a year cost of the license and have, in fact, operated at a loss since we have owned this gauge.

Based on the above, we would request that our license be terminated in May, which is our anniversary month for the license. The gauge will be either sold by consignment through:

InstroTek-Northeast  
16 Taunton Lake Road  
Newton, CT 06470

This will be handled by Philip C. Palilla, the Owner, who sold us the gauge originally or alternatively sold to a local consultant who is licensed for the use of such gauges.

I would ask that you review our request as soon as possible in order that we may avoid payment of another \$2,500.00 in licensing fees due in May 2005.

Very truly yours,  
  
JAMES P. KOVACS, P.E., L.S.  
President, Abbington Associates, Inc.

JPK:VC:ae  
Encl.  
G:\Sec 05\NRC LETTER.doc

136542  
**NMSS/RGNI MATERIALS-002**

**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.

Licensee	
1. Abbington Associates, Inc.	3. License number 29-30736-01
2. 922 Route 33 Freehold, New Jersey 07728	4. Expiration date <b>May 31, 2012</b>
	5. Docket No. 030-36031 Reference No.

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Cesium 137	A. Sealed Sources (AEA Technologies Model CDCW556, Isotope Products Laboratories Model HEG-137, or Humboldt Scientific Inc. Dwg 2200064)	A. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State
B. Americium 241	B. Sealed Neutron Source (AEA Technologies Model AMNV.997, Isotope Products Laboratories Models 3021, 3027, Am1.NO2 or Humboldt Scientific Inc. Dwg 2200067)	B. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State

9. Authorized use:

A. and B. In Troxler Electronic Laboratories Model No. 3400 series or Humboldt Scientific Inc. Model 5001, portable gauging devices for measuring physical properties of materials.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
29-30736-01Docket or Reference Number  
030-36031**CONDITIONS**

10. Licensed material may be used or stored at the licensee's facilities located at 922 Route 33, Freehold, New Jersey, and may be used 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, including areas of exclusive Federal jurisdiction within Agreement States.

If the jurisdiction status of a Federal facility within an Agreement State is unknown, the licensee should contact the Federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive Federal jurisdiction shall be obtained from the appropriate state regulatory agency.

11. Licensed material shall be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the application dated May 29, 2002.
12. The Radiation Safety Officer for this license is Vincent Creevy.
13. 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 10 CFR 30.35(d), 40.36(b), and 70.25(d) for establishing financial assurance for decommissioning.
14. Sealed sources or source rods containing licensed material shall not be opened or sources removed or detached from source rods or gauges by the licensee, except as specifically authorized.
15. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.
- C. Sealed sources need not be tested if they 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 shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
29-30736-01Docket or Reference Number  
030-36031

- D. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.
- E. Tests for leakage and/or contamination, limited to leak test sample collection, shall be performed by the licensee or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. The licensee is not authorized to perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
16. The licensee shall conduct a physical inventory every six months, or at other interval approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license.
17. 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 or storage, or when not under the direct surveillance of an authorized user.
18. Any cleaning, maintenance, or repair of the gauges that requires detaching the source or source rod from the gauge shall be performed only by the manufacturer or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
19. A. If the licensee uses unshielded sealed sources extended more than 3 feet below the surface, the licensee shall use surface casing that extends from the lowest depth to 12 inches above the surface and other appropriate procedures to reduce the probability of the source or probe becoming lodged below the surface. If it is not feasible to extend the casing 12 inches above the surface, the licensee shall implement procedures to ensure that the cased hole is free of obstruction before making measurements.
- B. If a sealed source or a probe containing sealed sources becomes lodged below the surface and it becomes apparent that efforts to recover the sealed source or probe may not be successful, the licensee shall notify the U.S. Nuclear Regulatory Commission and submit the report required by 10 CFR 30.50(b)(2) and (c). The licensee shall not abandon the sealed source or probe without obtaining the Commission's prior written consent.
20. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number  
29-30736-01

Docket or Reference Number  
030-36031

21. 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 May 29, 2002



For the U.S. Nuclear Regulatory Commission

Date May 30, 2002

By *Sattar Lodhi*

Sattar Lodhi, Ph.D.  
Nuclear Materials Safety Branch 2  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406



Your Single Source

922 Route 33 • Freedom, PA 15122



GREETING FROM  
REGIONAL  
FENDER

DNMS

Region One Office  
Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

19406+1431



13654d

This is to acknowledge the receipt of your letter/application dated

12/16/05, and to inform you that the initial processing which includes an administrative review has been performed.

Term 24-30736-01  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 136542.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.

BETWEEN: : (FOR LFMS USE)  
 : INFORMATION FROM LTS  
 : -----  
 :  
 License Fee Management Branch, ARM : Program Code: 03121  
 and : Status Code: 0  
 Regional Licensing Sections : Fee Category: 3P  
 : Exp. Date: 20120531  
 : Fee Comments: \_\_\_\_\_  
 : Decom Fin Assur Reqd: N  
 : .....

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

Applicant/Licensee: ABBINGTON ASSOCIATES, INC.  
 Received Date: 20050224  
 Docket No: 3036031  
 Control No.: 136542  
 License No.: 29-30736-01  
 Action Type: Termination

2. FEE ATTACHED

Amount:           /            
 Check No.:           /          

3. COMMENTS

Signed *Robert J. Jones*  
 Date 3/1/05

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /\_/)

1. Fee Category and Amount: \_\_\_\_\_

2. Correct Fee Paid. Application may be processed for:

Amendment \_\_\_\_\_  
 Renewal \_\_\_\_\_  
 License \_\_\_\_\_

3. OTHER \_\_\_\_\_

Signed \_\_\_\_\_  
 Date \_\_\_\_\_