



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE ROAD STE 210
LISLE, ILLINOIS 60532-4352

MAY 12 2006

David Close
Radiation Safety Officer
David Close Consulting
1412 Willowood Court
Painesville, OH 44077

Dear Mr. Close:

Enclosed is Amendment No. 01 to your NRC Material License No. 34-26653-02 in accordance with your request. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

- A. During my review of your letter dated February 13, 2006, I noted that you had apparently not utilized NUREG 1556, Vol. 18 in preparing your licensing correspondence. This NUREG should have been sent to you automatically and is also available on our website at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v18/>

Please always use the appropriate NUREG 1556 document for all licensing correspondence to ensure the preparation of a complete application without extraneous details.

Using the NUREG 1556 series documents would help ensure that your licensing correspondence is prepared more completely and in a less burdensome manner.

In preparing your future licensing correspondence please focus on providing the information requested in Appendix C to NUREG 1556, Volume 18. Follow the "Suggested Format.." provided in this Appendix and use the suggested responses and model procedure/appendix references whenever possible, appending descriptive information as appropriate.

It is advisable to read the corresponding text in the front of each NUREG to ensure a complete understanding of the commitments that you make.

Please do not submit resumes, curricula vitae, college transcripts, any personal, proprietary information, blueprint diagrams, and any extraneous, detailed information, procedures and retyped sections from advisory text in the NUREG-series documents. For example, in your letter dated February 13, 2006, you submitted a curriculum vitae and college course records for Mr. Stoneberg and you changed the commitment for occupational dose monitoring in your letter. Both of these items would have been impacted by correct use of NUREG 1556, Vol. 18.

If you must deviate from a model procedure or suggested response, it may be possible

to simply indicate what the deviation is and still use the model procedure/ suggested response as a "basic" commitment. Descriptive information may be "recycled" directly from previous documents only to the extent that it is current, complete information, equivalent to the model procedure (as appropriate) and does not contain extraneous material. It is in your best interests to only provide those commitments, statements, representations and procedures, in a clear and explicit manner, that we require to issue your license. These documents will form the basis for the license in the last condition of the license, called the "tie-down" condition.

You will realize the benefit of a reduced regulatory burden while enhancing safety and maintaining compliance and efficiency if you establish your license in this manner.

In fact, the easiest way to prepare your renewal is to take a copy of NUREG 1556, Vol. 18 to your copy machine and copy Appendix C directly.

Read the text in the front of NUREG 1556, Vol. 18 that corresponds to each item in each Appendix C section and simply fill in the checkmarks and blanks on the copied checklists, thereby making your license commitments. As noted above, please do not re-type the checklists as errors and omissions may be introduced. If you need to append certain information or provide an alternative procedure, please be sure to incorporate the information in the NUREG, at a minimum, to ensure completeness.

Also, please check your current license to ensure that you have not omitted anything that you wish to continue authorization for, such as locations of use, line items, etc. On the other hand, if you wish to delete an authorization that you currently have, be sure to specifically request the deletion, state why, and support each request with appropriate information that justifies granting the request (such as leak tests, final surveys, acknowledgments of receipt from vendors, etc.)

If you have further questions concerning these matters please contact me at (630) 829-9841 or (800) 522-3025.

- B. At this time I updated the format of Condition No. 13.F. and 17. to conform with current NRC policies and practices. I modified Condition No. 17, in particular, to include decay-in-storage of radioactive materials with a half-life less than or equal to 120 days, as per Regulatory Issue Summary RIS 2004-017.
- C. Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:
 - 1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards

for Protection Against Radiation," and other applicable regulations.

2. Notify NRC, in writing, within 30 days, pursuant to 10 CFR 35.14:
 - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
 - b. When the mailing address listed on the license changes.
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when a decision is made to terminate all activities involving materials authorized under the license.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - c. Add or change the areas of use or the address or addresses of use identified in the license application or on the license; or
 - d. Change ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,



Colleen Carol Casey
Materials Licensing Branch

License No. 34-26653-02
Docket No. 030-35055

Enclosure:

Amendment No. 01