

MATERIALS LICENSE

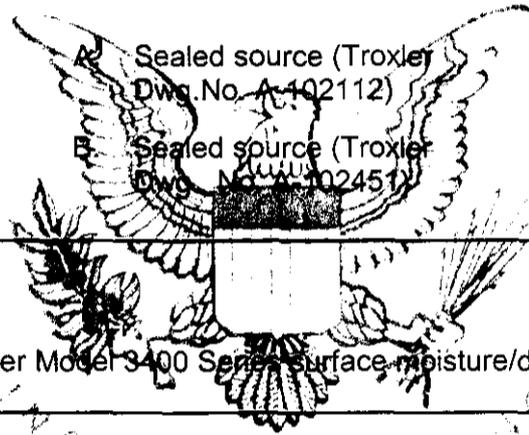
Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, 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.

AC 03121

315-368

<p>Licensee</p> <p>1. Dickinson County Road Commission</p> <p>2. 1107 South Milwaukee Avenue P. O. Box 519 Iron Mountain, MI 49801-0519</p>	<p>In accordance with letter dated April 20, 2006,</p> <p>3. License number 21-24463-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date February 29, 2012</p> <hr/> <p>5. Docket No. 030-18644 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Cesium-137</p> <p>B. Americium-241</p>	<p>7. Chemical and/or physical form</p> <p>A. Sealed source (Troxler Dwg. No. A-102112)</p> <p>B. Sealed source (Troxler Dwg. No. A-102451)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. One source not to exceed 10 millicuries</p> <p>B. One source not to exceed 50 millicuries</p>
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9. Authorized Use:

A. and B. To be used in Troxler Model 3400 Series surface moisture/density gauges.

CONDITIONS

10. Licensed material may be used or stored at the licensee's facilities located at 1107 South Milwaukee Avenue, Iron Mountain, Michigan, and 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.
11. Licensed material shall only be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the letter dated February 19, 2002.
12. The Radiation Safety Officer for the activities authorized by this license is Robert G. Massie.
13. 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.

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- B. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- C. Sealed sources need not be leak 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.
- D. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie 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 shall be performed by persons specifically licensed by the U. S. Nuclear Regulatory Commission or an Agreement State to perform such services. In addition, the licensee is authorized to collect leak test samples but not perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
- F. Records of leak test results shall be kept in units of microcuries and shall be maintained for 3 years.
14. Sealed sources or rod sources 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. When performing tests at temporary job sites, the authorized user shall not leave the moisture/density gauge unattended. Upon completion of tests, the device shall be locked in the licensee's vehicle or a secure building to prevent unauthorized use, loss or theft.
16. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
17. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
18. Any cleaning, maintenance or repair of the gauge(s) 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 Commission or an Agreement State to perform such services.

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19. Except for maintaining labeling as required by 10 CFR Part 20 or 71, the licensee shall obtain authorization from the U. S. Nuclear regulatory Commission before making any changes in the sealed source, device, or source-device combination that would alter the description or specifications as indicated in the respective Registration Certificates issued either by the Commission pursuant to 10 CFR 32.210 or by an Agreement State.
20. Each portable 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.
21. 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 from 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 encased 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 written consent.
22. 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 July 16, 2001; and
- B. Letters dated February 19, 2002 and April 20, 2006.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

JUN 01 2006

Date _____

By _____

Toye L. Simmons
Materials Licensing Branch
Region III