

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.

PC 03121

315397

<p>Licensee</p> <p>1. Farrar, Garvey & Associates, LLC</p> <p>2. 8925 North Meridian Street Indianapolis, IN 46260</p>	<p>In accordance with letter dated April 7, 2006,</p> <p>3. License number 13-26594-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date September 30, 2014</p> <hr/> <p>5. Docket No. 030-33601 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. No single source to exceed 9 millicuries. Total activity 27 millicuries</p> <p>B. No single source to exceed 44 millicuries. Total activity 132 millicuries.</p>
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9. Authorized Use:

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

CONDITIONS

- 10. Licensed material may be used or stored at the licensee's facilities located at 8925 North Meridian Street, Indianapolis, Indiana 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.
- 11. The Radiation Safety Officer for this license is **W. Eric Von Hoven**.
- 12. Licensed material shall only be used by, or under the supervision and in the physical presence of, individuals who have successfully completed the manufacturer's training program for gauge users, have been instructed in the licensee's routine and emergency operating procedures and who have been designated by the Radiation Safety Officer.
- 13. 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 NRC under 10 CFR 32.210 or by an Agreement State.

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13-26594-01Docket or Reference Number
030-33601

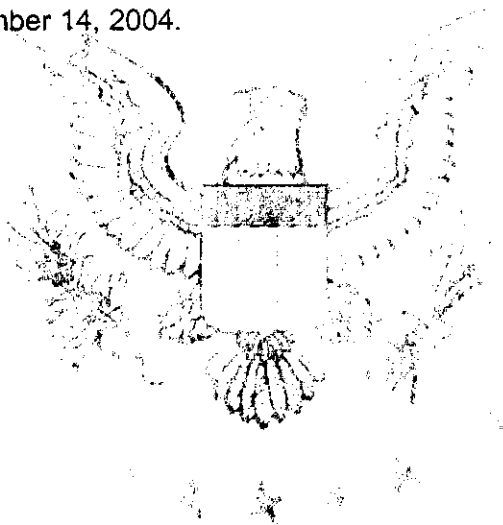
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- B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by NRC under 10 CFR 32.210 or by an Agreement State prior to the transfer, a sealed source received from another person shall not be put into use until tested.
- 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.
- 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(b)(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 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.
14. Sealed sources or source rods containing licensed material shall not be opened or sources removed 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 or at other interval approved by the Commission, to account for all sources and/or devices received and possessed under the license.
17. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
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 must be locked when in transport. A minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal whenever the portable gauge is not under the control and constant surveillance of the licensee are required.**
19. Any cleaning, maintenance, or repair of the gauge(s) that requires removal of the source rod 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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20. Except for maintaining labeling as required by 10 CFR Part 20 or 71, the licensee shall obtain authorization from the 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 by the Commission pursuant to 10 CFR 32.210 or by an Agreement State.
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 18, 2004.
- B. Facsimile dated September 14, 2004.



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date JUN 19 2006By William P. Reichhold
William P. Reichhold
Materials Licensing Branch
Region III