

NRC FORM 313
(8-2000)
10 CFR 30, 32, 33,
34, 35, 36, 39, and 40

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 08/31/2002

Estimated burden per response to comply with this mandatory collection request: 7.4 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records Management Branch (T-6 E6), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to bjs1@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0000), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

APPLICATION FOR MATERIAL LICENSE

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19408-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

SAM NUNN ATLANTA FEDERAL CENTER
U. S. NUCLEAR REGULATORY COMMISSION, REGION II
61 FORSYTH STREET, S.W., SUITE 23T85
ATLANTA, GEORGIA 30303-8831

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE RD.
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-6064

02034391
X

RECEIVED
REGION I
2007 FEB 26 PM 12:20

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- A. NEW LICENSE
- B. AMENDMENT TO LICENSE NUMBER _____
- C. RENEWAL OF LICENSE NUMBER 37-30380-01

2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

Testing Services, Inc.
1844 Swatara Street
Harrisburg, PA 17104

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

1844 Swatara Street
Harrisburg, PA 17104
and at temporary jobsites

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Thomas M. Poole

TELEPHONE NUMBER

717-441-9720

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL
a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

12. LICENSE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY 3P AMOUNT ENCLOSED \$ 2300.00

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 38, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 82 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE
Thomas M. Poole, President

SIGNATURE
Thomas M. Poole

DATE
2/9/07

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

140144
NRC/ORIGIN MATERIALS-002

TESTING SERVICES, INC.

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TESTING SERVICES, INC.

ATTACHMENT 5

RADIOACTIVE MATERIAL

<u>Radionuclide</u>	<u>Sealed Source</u>	<u>Max. Activity/Source</u> (millicuries)
A. Cs-137	Moisture/Density Gauges	15
B. Am-241:Be	Moisture/Density Gauges	50

Authorized Use

- A. For use in Troxler Electronics, Campbell Pacific Nuclear or Humboldt gauges to measure moisture/density of construction materials.
- B. For use in Troxler Electronics, Campbell Pacific Nuclear or Humboldt gauges to measure hydrogen content and moisture/density of construction materials.

Possession Limit Commitment

We will confine our possession of licensed material to quantities such that we will not exceed the applicable limits in 10 CFR 30.35(d).

TESTING SERVICES, INC.

ATTACHMENT 6

PURPOSES FOR WHICH LICENSED MATERIAL WILL BE USED

For use in gauging devices whose designs have been reviewed and approved by the NRC or an Agreement State to measure moisture/density of materials in accordance with the manufacturers' instructions. Storage will be primarily at the office location and occasionally on temporary jobsites in accordance with Temporary Jobsite Storage requirements. No service or repair requiring removal of the source will be performed.

TESTING SERVICES, INC.

TEMPORARY JOBSITE STORAGE

The use of portable moisture/density gauges often involves storage at remote locations (jobsite) due to long distances between the licensed storage facility and the jobsite. Devices that are at the jobsite on a temporary basis must be used only at the specific site where stored, and must be returned to the licensed location upon completion of activities at the jobsite. Devices may not be stored at an individual's residence, in a hotel room or in the transport vehicle overnight. Temporary jobsites may not be used as a "base of operations" for servicing other customers or performing work at other sites in the area.

Devices(s) stored at temporary jobsites must be stored in the following manner:

1. All device(s) stored at jobsites must be secured with a padlock inserted into the source rod handle or trigger mechanism to prevent extension of the source rod.
2. All device(s) stored at jobsites must be stored in a Department of Transportation (DOT) approved shipping case. Storage of the device(s) in the shipping case provides the necessary distance to decrease to radiation levels to below regulatory limits in an unrestricted area (less than 2 mR/hr or 100 mR in 7 consecutive days).
3. All device(s) stored at temporary jobsites must be secured against unauthorized removal at all times. Device(s) stored in a trailer at the jobsite must be secured in a locked enclosure, such as a cabinet or a closet. Only individuals certified in accordance with licensed procedures are to have keys to the storage cabinet. A "Caution - Radioactive Materials" sign must be posted on the door of the cabinet or closet.
4. A copy of the complete, unexpired radioactive materials license must be available for review at the jobsite. A copy of the appropriate "Notice to Employees" and a statement as to where a copy of the current regulations may be reviewed must be posted at the jobsite.

Storage of the gauge(s) in a manner other than that describe above must be approved by the Radiation Safety Officer. To obtain approval, contact the Radiation Safety Officer prior to storing the gauge(s) at the jobsite.

TESTING SERVICES, INC.

ATTACHMENT 7

INDIVIDUAL RESPONSIBLE FOR RADIATION SAFETY PROGRAM
AND THEIR TRAINING EXPERIENCE

Thomas M. Poole, President and Radiation Safety Officer, is responsible for the day-to-day operation of the radiation safety program. The Radiation Safety Officer has the authority to alter, modify, suspend or terminate any use of licensed materials he judges to be a threat to health, safety or the environment or to be a violation of rules, regulations or the condition of the license.

The Radiation Safety Officer's duties and responsibilities will be those listed in Appendix C of the Draft Regulatory Guide DG-0008 dated, May 1995.

The Radiation Safety Officer's statement of training and experience is attached.

TESTING SERVICES, INC.

THOMAS M. POOLE

President

EDUCATION:

High School: Milton Hershey School, Hershey, PA, 1974 with Honors

College: Harrisburg Area Community College, Harrisburg, PA, 1978
Associates Degree - Architectural Technology

CERTIFICATIONS:

NICET Level II - Transportation Engineering Technology - Highway Construction

Radon Testing - Pennsylvania Department of Environmental Protection

Radon Mitigation - Pennsylvania Department of Environmental Protection

SPECIAL TRAINING:

Troxler Nuclear Moisture/Density Operator Course - 1986

Penn State - Nuclear Engineering Department - Reducing Radon in Structures - 1989

Penn State - Continuing Education - Radon Testing and Mitigation Training - 1989

Professional Service Industries, Inc. - Radiation Safety Officer Course - 1992

EMPLOYMENT HISTORY :

Testing Services, Inc., Mechanicsburg, PA

1996 to Present - President

Part owner and operator of TSI as certified radon testing and mitigation individual and soils and concrete tester. TSI performs a full scope of NDT services (RT, UT, MT, PT) as well as chemical analysis and physical testing of base materials and weldments, a full scope of radon testing and mitigation services, geotechnical services and a full scope of soils and concrete testing services in the field and in the laboratory.

Professional Service Industries, Inc., Harrisburg, PA

1992 to 1996 - Branch Manager

Started a new branch for a national company. Responsible for the management of geotechnical services, construction services and ndt operations in the central Pennsylvania area. Duties included managing all phases of an independent office including personnel, training, project supervision and scheduling, billing, sales and marketing, bidding, quality control and report reviewing and writing.

B S & T Labs, Inc., Harrisburg, PA

1986 to 1992 - Manager

Responsible for the management of construction services operations in the central Pennsylvania area. Duties included personnel training, project supervision and scheduling and reviewing and writing of reports for field and laboratory inspection and testing in the areas of soils, concrete, structural steel and physical laboratory testing.

GEO-Technical Services, Inc., Harrisburg, PA

1978 to 1986 - Designer/Draftsman

Duties included designing and drafting of treatment plants, roads and bridges, surveying for flood studies, setting up and operating acid mine drainage treatment facilities and setting up and operating a soils testing laboratory.

TESTING SERVICES, INC.

ATTACHMENT 8

TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING
RESTRICTED AREAS

Each individual who uses or directly supervises the use of licensed material will receive one day of training in the basics of radiation safety and regulatory requirements. This training will be provided by either a NRC approved portable gauge manufacturer's course or an alternative training program provided by the company RSO. Additionally, the individuals will receive four days of on-the-job training and supervised experience administered by the RSO. This additional training will include radioactivity measurements, mathematics and calculations basic to the use of moisture density gauges and the manufacturers' routine and emergency procedures.

The alternative training program provided by the company RSO will meet the Criteria for Acceptable Training Courses for Portable Gauge Users as outlined in Appendix D of the Draft Regulatory Guide DG-0008, dated May 1995. The company RSO meets the Criteria for Qualifications for Instructors of Portable Gauge Users as outlined in Appendix D of the Draft Regulatory Guide DG-0008, dated May 1995.

A record of classroom training will be maintained by the RSO. This record will contain dates, type of training and names of attendees.

The manufacturers' operating and emergency instructions will be provided to each user of a gauge. Where necessary, the manufacturers' instructions will be supplemented to add:

1. Use of personnel monitoring devices
2. Step-by-step operating instructions
3. Storage
4. Transportation
5. Leak testing
6. Emergency procedures

Before any individual is permitted to use a gauge, the individual will have successfully completed either the NRC approved manufacturers course or the alternative course, will have received the above listed material and will have been designated as an authorized user by the RSO.

During the first quarter of operation and then at intervals not to exceed six months, an audit shall be performed on all users by the RSO.

TESTING SERVICES, INC.

ATTACHMENT 9

FACILITIES AND EQUIPMENT

The proposed permanent facility is a currently existing facility.

The facility at 1844 Swatara Street, Harrisburg, PA is a commercial building in a residential community. The storage area for licensed material is inside the commercial building. The licensed material does not conflict with local codes or zoning laws. Plans of the physical facilities are attached.

The gauges will be stored in a secured closet as shown on the plans.

Gauges being transported to jobsites will be secured in one of the following manners:

1. Locked in the trunk of a car.
2. Hidden from view while in a locked van.
3. Hidden from view while locked in a sport utility vehicle.
4. Hidden from view while locked in the bed of a pick-up truck with a locked cap.
5. Secured with a lock and chain at the back right corner while in an open bed pick-up truck.

Gauges being used on jobsites will be kept within the sight and immediate control of the technician. When not in use, gauges will be kept, with the source in the locked position, in the locked manufacturers transport case and locked in the transport vehicle. Gauges left on jobsites during off-duty hours will be stored in accordance with Temporary Jobsite Storage guidelines which are attached.

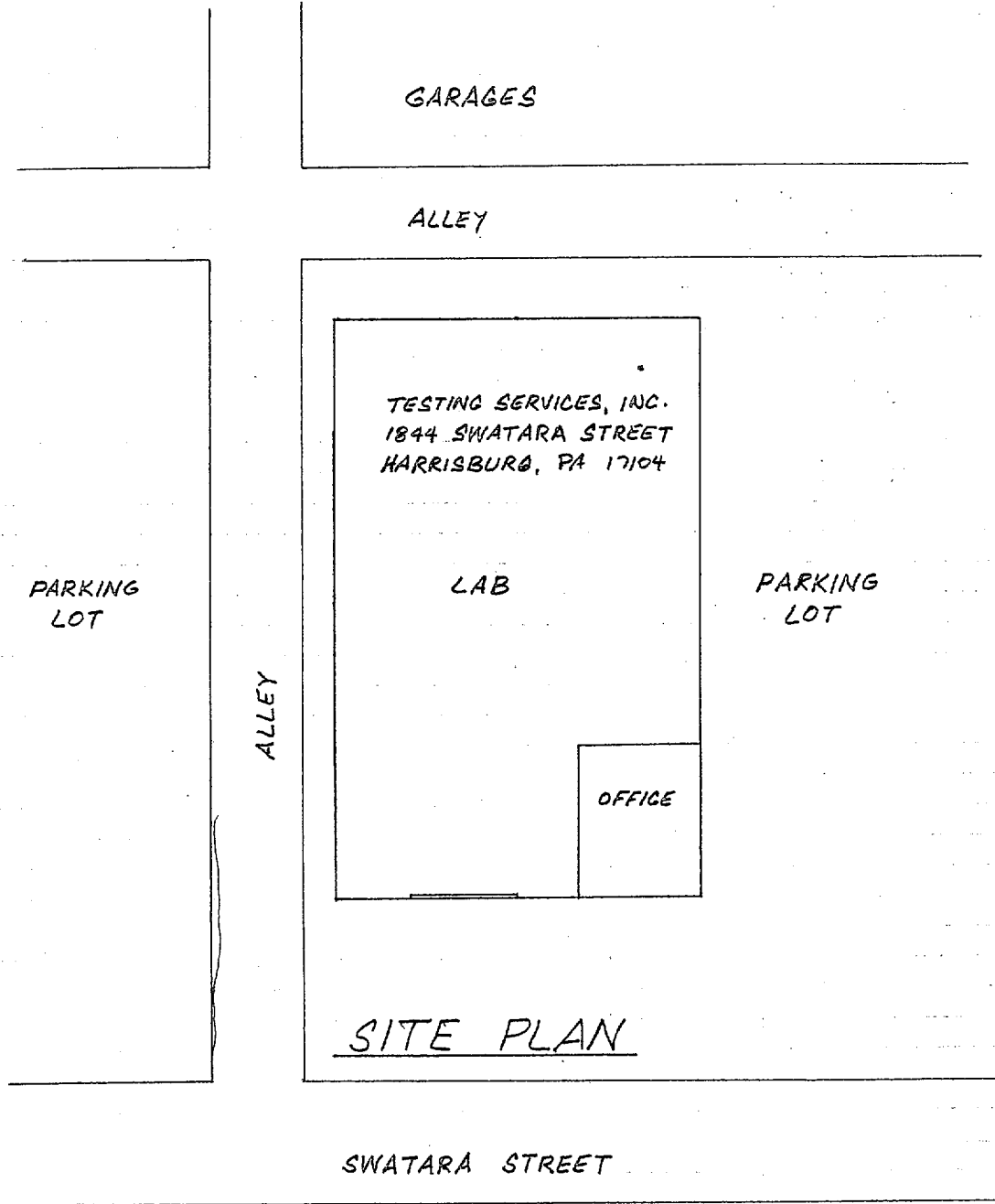
Gauges , other then ones in Temporary Jobsite Storage, will be returned to the permanent storage facility at the end of each work day.

TESTING SERVICES, INC.

1844 Swatara Street
Harrisburg, Pennsylvania 17104
717-441-9720
Fax 717-441-9721

SITE PLAN

1844 Swatara Street



TESTING SERVICES, INC.

ATTACHMENT 10

RADIATION SAFETY PROGRAM

Personnel Monitoring Program

Film badges or thermoluminescent dosimeters are provided to the following people:

- A. Individuals for whom personnel monitoring is required by 10 CFR 20.1502.
- B. Individuals responding to radiological emergencies.
- C. Individuals who request personnel monitoring because of personal concern.

Personnel monitoring data shows that employees performing routine activities are unlikely to receive doses in excess of 10% of the limits in 10 CFR 20.1201(a), 20.1207, and 20.1208.

TSI will only use a supplier of monitoring equipment that is accredited by the National Voluntary Laboratory Accreditation Program (NVLAP), as required by 10 CFR 20.1501.

Radiation Detection Instruments

At least one appropriate, calibrated radiation detection instrument, capable of measuring between 1 microsievert per hour (0.1 millirem per hour) and 1 millisievert per hour (100 millirems per hour) will be kept at the office and is available to the RSO. This instrument will be used to perform surveys after an incident. Each survey instrument will be calibrated by the manufacturer at intervals not to exceed 1 year.

Leak Testing

Each gauge containing licensed material will be tested for leakage and/or contamination at intervals not to exceed six months with the following exception:

Leak test samples will be taken by the RSO using a commercial leak-test kit and then analyzed by a commercial leak test service provider authorized by the U.S. Nuclear Regulatory Commission or an Agreement State.

The following safety precautions will be followed when taking leak test samples:

1. Assigned dosimeters will be worn.

2. The instructions provided in the leak test kit will be followed in collection of the wipe sample.

Inventories

A physical inventory of gauges shall be performed at intervals not to exceed six months.

Maintenance

Any maintenance on gauges will always be performed with the radioactive source in the safe shielded position in accordance with the manufacturers directions or recommendations.

More extensive maintenance that requires removal of the source from its shielded position or removal of the source rod from the device will be performed by the gauge manufacturer.

Transportation of Devices to Field Locations

Licensed material transported by TSI, or delivered by TSI to a carrier for transport, shall be packaged in accordance with the provisions in 10 CFR 71.5 found in Title 49 of the Code of Federal Regulations.

Operating and Emergency Procedures

See Attachment 10, Section A

Annual Audit of Radioactive Safety Program

Audits will be conducted by the RSO

We will conduct audits as described in Appendix I of Draft Regulatory Guide DG-8000.

Audits will be conducted at intervals not to exceed 12 months and we will maintain records of all audits for at least 3 years after the record is made.

The management of TSI will review the documented results of the audit promptly after the audit's completion.

TSI will take prompt action to correct deficiencies identified during audits and will inform all personnel of the deficiencies and the actions management expects its personnel to take to avoid similar deficiencies.

TESTING SERVICES, INC.

STANDARD OPERATING AND EMERGENCY PROCEDURES

Operating Procedures

1. Before removing the gauge from its place of storage, check to make sure that the gauge source rod is in the shielded, locked position, then lock the transport case if possible.
2. Sign the gauge out in a log book, stating the dates of use, names of the authorized users who will be responsible for the gauge, and the temporary jobsites where the gauge will be used.
3. Never leave the gauge unattended while in your custody.
4. Follow all applicable Department of Transportation (DOT) requirements when transporting the gauge.
5. Do not touch the source rod with your fingers, hands, or any part of your body, and always make sure the source rod is in the shielded position after each measurement is made.
6. Always wear your assigned thermoluminescent dosimeter (TLD) or film badge when using the gauge (if applicable).
7. Never wear another person's TLD or film badge.
8. Never store your TLD or film badge near the gauge.
9. Always keep unauthorized persons away from the area where the gauge is to be used.
10. Always maintain constant surveillance and immediate control of the gauge when it is not in storage.
11. Never look under the gauge when the source rod is being lowered into the ground.
12. After each measurement, always return the source to the shielded position and lock it there.
13. When the gauge is not in use at a temporary jobsite, place the gauge in a secured storage location (e.g., locked in the trunk of a car or locked in a storage shed).
14. Return the gauge to its proper storage location at the end of the work shift.
15. When the gauge is returned to storage, so indicate in the source log.

- 6.3 Consider the timeliness of reports to the NRC.
- 6.4 Review the reporting requirements, which are found in 10 CFR 20.2201-2203 and 10 CFR 30.50.

TESTING SERVICES, INC.

ATTACHMENT 11

WASTE MANAGEMENT

Licensed material, i.e., the radioactive source, will only be disposed of by transferring the material to an authorized recipient as specified in 10 CFR 20.2001(a).

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

2/9/2007, and to inform you that the initial processing which includes an administrative review has been performed.

Renewal 37-30390-01
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

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** 140144.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

(FOR LFYS USE)
INFORMATION FROM LTS

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

: Program Code: 03121
: Status Code: 2
: Fee Category: 3P
: Exp. Date: 20070331
: Fee Comments: _____
: Decom Fin Assur Req'd: N
: ::::::::::::::::::::::::::::::::::::::

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

Applicant/Licensee: TESTING SERVICES, INC.
Received Date: 20070226
Docket No: 3034391
Control No.: 140144
License No.: 37-30380-01
Action Type: Renewal

2. FEE ATTACHED

Amount: \$2,300.00
Check No.: 2439

3. COMMENTS

No fee due for renewals.

Signed *M. A. Perkins*
Date 3/4/2007

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 _____