

6/27/2007 4:35 PM FROM: Fax 240-631-8991 IFM Integrated Environmental Management, Inc. PAGE: 002 OF 002

Hanson Aggregates East
 P. O. Box 231
 Easton, Pennsylvania 18044-0231
 Tel: (610) 253-4271
 Fax: (610) 253-5734
www.hansonpic.com

June 27, 2007

Q-2

Abdul S. Lodhi, Ph.D.
 Materials Security and Industrial Branch
 U. S. Nuclear Regulatory Commission
 475 Allendale Road
 King of Prussia, PA 19406-1415

03006210

Re: Amendment of License No. 37-09708-01 for Hanson Aggregates Pennsylvania, Inc.

Dear Dr. Lodhi:

Hanson Aggregates Pennsylvania, Inc. (Hanson) maintains U. S. Nuclear Regulatory Commission (USNRC) License No. 37-09708-01 for possession and use of sealed radiation sources (Cs-137) in Ohmart level (density) gauges at its site in Glen Mills, Pennsylvania. At this time, there are a total of three (3) Ohmart gauges in the inventory.

Hanson has recently purchased a new facility at 700 Railroad Avenue in Newport, New Jersey. Included in the sale, which concluded at 5:00 p.m. on June 27, 2007, are two Cs-137-bearing level gauges. As a result, we wish to amend License No. 37-09708-01 as follows, with all other terms/conditions of the license remaining the same:

- (1) To authorize the use of licensed material at 700 Railroad Avenue, Newport, New Jersey.
- (2) To include the possession/use of a TN Technologies Model 5201 (Serial No. B3210) gauge that contains 100 millicurie (mCi) of Cs-137 (Source Serial No. GV-8442).
- (3) To include the possession/use of a TN Technologies Model 5176 (Serial No. 141) gauge that contains 2,000 mCi of Cs-137 (Source Serial No. L-304).

Currently, the two devices are under the possession and control of US Silica Company under the terms/conditions of License No. 47-09375-07. They will remain under US Silica control, as shown in the attached letter of commitment, until such time as License No. No.37-18463-01 has been amended.

Time is of the essence in this application since the sale of the plant has already taken place. Therefore, if I can facilitate your action on our application, please do not hesitate to call me at (610) 253-4271. The fee for amendment of our license will be transmitted under separate cover. Thank you very much.

Sincerely,

HANSON AGGREGATES PENNSYLVANIA, INC.

Richard Hermany

Richard Hermany,
 E/C PA & NJ - Safety Manager

cc: I. Pryor, PE - US Silica

140729

NMSS/RGN1 MATERIALS-002

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HOLIDAY INN

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ATTACHMENT

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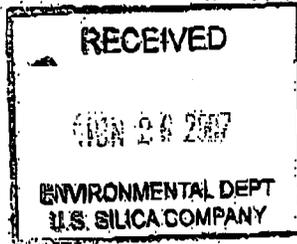
304 756 0203

US Silica

10:06:40 a.m.

06-26-2007

5/11



Hanson North America
John A. Gillan
Assistant General Counsel

300 E. John Carpenter Freeway, Suite 1845
Wing TX 75062
Tel: 972 653 5672
Fax: 972 653 6165
JohnA.Gillan@hanson.biz

June 25, 2007

VIA EMAIL AND REGULAR MAIL

James Manion, Esq.
General Counsel
Better Minerals & Aggregates Company
Route 522, P. O. Box 187
Berkeley Springs, WV 25411

Division Counsel
Direct line 919 380 2605
Direct fax 919 380 2522
Email: John.A.Gillan@Hanson.com
www.hansonpic.biz

Re: Nuclear Density Gauges

Dear Jim:

Pursuant to our discussion of this date, it appears that we will not be able to amend our existing NRC license prior to the closing of our Millville Transaction. As such, please let this letter serve as our agreement that US Silica should maintain operational control of the nuclear density gauges at the Millville property until such time as we can either amend our existing or obtain a new license.

If you would like any further information on any of the above, please let me know.

Sincerely,

John A. Gillan
John A. Gillan
Division Counsel

cc: Mark Kendrick
Rich Hermany

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

6/27/2007, and to inform you that the initial processing which includes an administrative review has been performed.

AMEND. 37-09703-01
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 140729.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.