



June 28, 2007

Michael A. Perkins  
Division of Nuclear Materials Safety  
U. S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

03014788

Q-2

**Re: Amendment of License No. 47-09375-07 for US Silica (Control No. 140730)**

Dear Mr. Perkins:

U. S. Silica Company, Inc. (US Silica) maintains License No. 47-09375-07 (Amendment 20) for possession and use of sealed radiation sources in level (density) gauges at a variety of locations in West Virginia, Missouri, Pennsylvania and New Jersey. At 5:00 p.m. on June 27, 2007, the plant at 1101 Railroad Avenue in Newport, New Jersey was sold to Hanson Aggregates BMC, Inc. (Hanson). Included in the sale were two level gauges that are present at the site. These are a TN Technologies, Model 5201 gauge (Serial No. B3210) containing 100 mCi of Cs-137 (Source Serial No. GV-8442) and a TN Technologies, Model 5176 gauge (Serial No. 141) containing 2,000 mCi of Cs-137 (source Serial No. L-304).

On June 14, 2007, a TN Technologies, Model 5201 gauge, containing 50 mCi of Cs-137 (Source Serial No. GV-8890), that had been in storage at the site, was picked up by ADCO Services of Tinley Park, Illinois for disposal at the Barnwell facility in South Carolina. That device was leak-tested less than six months from the pick-up date. A copy of the Certificate, along with the shipping manifest, is attached.

Because the Railroad Avenue site has been sold, US Silica wishes to amend License No. 47-09375-07 to remove the site from the listing of authorized use locations shown in Provision 10. The two gauges that remain on site will be transferred to Hanson, who also holds a USNRC license (No.37-09708-01 for Hanson Aggregates Pennsylvania, Inc.), but it is for possession/use of Ohmart gauges only. Therefore, pursuant to our letter to Dr. Satir Lodhi of June 27, 2007, US Silica will not relinquish control of the devices to Hanson until such time as their license has been amended, a process that is being handled under a separate licensing action (Control No. 140729).

Both of the gauges present at the Railroad Avenue facility were leak-tested on June 14, 2007, with the Certificates due shortly. No leaking sources have ever been identified at the facility. An "in place" radiation survey of the gauges, for the purpose of demonstrating that their external radiation levels are consistent with those in the applicable device registration (i.e., Registration No. TX0634D138B for the Model 5201 and Registration No. TX572D103U for the Model 5176) will be performed on June 29, 2007. All records associated with this action, including the survey report,

NMSS/RGN1 MATERIALS-002

U.S. Silica Company • P.O. Box 187, Berkeley Springs, WV 25411-0187 • (800) 243-7500

Certificates of Leak Test and disposal records, will be maintained as part of US Silica's license compliance file and will be made available to the USNRC for review during future inspections.

Once again, although the Railroad Avenue site is now owned by Hanson, the two remaining devices remain under the possession and control of US Silica until such time as License No. 47-09375-07 has been amended. Please do not hesitate to call me at (304) 258-2500 if I can facilitate your action on this request or answer any questions. Thank you very much and we look forward to timely release of the Railroad Avenue site.

Sincerely,

U. S. SILICA COMPANY



Jack M. Pryor, PE,  
Corporate Radiation Safety Officer

cc: C. Scott Eves  
J. Manion, Esq.  
G. Fell  
C. D. Berger, CHP - IEM

**ATTACHMENT**

304 258 0283

US Silica

04:50:22 p.m.

06-20-2007

4/4



**LEAK TEST CERTIFICATION**

This is to certify that the product identified below was tested for removable contamination in accordance with Texas Radioactive Material License Number L03524, Condition 19.

Customer: 301701  
U.S. SILICA INC.  
1101 Railroad Ave.  
Newport, NJ 08345

Device ID:   
Product: TN TECHNOLOGIES  
Model: 6201 Serial No: B3414  
Isotope: Cs-137 Activity: 50 mCi  
Source Serial: GV-8890  
Location: STORAGE  
Test Type: Lab Counting  
Result:  Positive  Negative <2.6E-5 uCi  
Analyzed on: January 04, 2007

This certificate should be maintained as a permanent record of the leak test of this product.

  
Michael Fontenot

Person Responsible: 17081594104 Dept. Lead, TK: 7704 019 23 998 918 27 270 102 www.thermo.com

JUN-21-2007 07:58 FROM: U.S. SILICA 1557859129 10:13042583588 P.1/2/4

Michelle  
Nuclear License  
47-09375-07

07-0183 SB

FORM 549 <b>UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST SHIPPING PAPER</b>		SHIPPER - NAME AND FACILITY US SILICA OR THE ACCOUNT OF ADCO SERVICES, INC. 1197 RAILROAD AVENUE MIDDLETOWN, NJ, 08941		SHIPMENT I.D. NUMBER 01183		7. FORM 549 AND 549A FORM 549 AND 549A FORM 549 AND 549A ADDITIONAL INFORMATION		PAGE 1 OF 1 PAGE(S) PAGE(S) PAGE(S)		8. MANIFEST NUMBER (This number is unique to this shipment) 07-0183 SB	
1. EMERGENCY TELEPHONE NUMBER (Provide Any Code) 856-907-4238		3C PERMIT NA		SHIPMENT NUMBER 07-0183 SB		X 9. CONSIGNEE - Name and Facility Address ADCO SERVICES, INC. 17890 DUVAN DRIVE TINLEY PARK, IL 60477		CONTACT LEN WARBANY/FACILITY MGR TELEPHONE NUMBER (Include Area Code) 708-428-1880		DATE	
2. IS THIS AN "EXCLUSIVE USE" SHIPMENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		3. TOTAL NUMBER OF PACKAGES IDENTIFIED ON THIS MANIFEST 1		8. CARRIER - Name and Address ADCOX EXPRESS, INC. 17890 DUVAN DRIVE TINLEY PARK, IL 60477		BPA ID NUMBER 647287344		SIGNATURE - Authorized employee who is preparing this manifest <i>[Signature]</i>		10. CERTIFICATION This is to certify that the material described hereon is properly classified, packaged, marked, and labeled and is in proper condition for transportation according to the applicable regulations of the Department of Transportation. This also certifies that the materials are listed, packaged, marked, and labeled and are in proper condition for transportation and shipment as described in accordance with the requirements of 10 CFR Parts 20 and 61, or applicable state regulations.	
4. DOES EPA REGULATED WASTE REQUIRING A MANIFEST ACCOMPANY THIS SHIPMENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		EPA MANIFEST NUMBER NONE REQUIRED		CONTACT DOB CASSETT		TELEPHONE NUMBER (Include Area Code) 708-428-2013		DATE 6/21/07		TITLE EHS	
11. U.S. DEPARTMENT OF TRANSPORTATION DESCRIPTION (Including proper shipping name, hazard class, UN ID number, and any additional labels)		12. DOT LABEL "RADIOACTIVE"		13. TRANSPORT INDEX		14. FEDERAL AND CHEMICAL FORAM		15. RADIOACTIVE MATERIALS		16. TOTAL PACKAGE ACTIVITY (Bq)	
UN 2915, Radioactive material, Type A Package, 7		NA		2		BOLD SEALED SOURCE/GAUGE		CS-137		1.8800E+03 5.0000E+01	
		YELLOW II								NA	
										26 LBS; 1.4 FT3	
										07-0183-01	
FOR CONSIGNEE USE ONLY		20. Check appropriate items: <input type="checkbox"/> Container requirements met (verify that all data on form is this Uniform Low-Level Radioactive Manifest) if true, list container ID in Remarks. <input type="checkbox"/> Packages meet or "Exceed Quantity of Radioactive Material" on this manifest (specify in the Remarks and include specific in 49 CFR 171.423 for radioactive material container package-related queries of material U235) <input type="checkbox"/> Packages meet "NON-REGULATED MATERIAL" on this manifest and described in accordance with 49 CFR 171.403 (Department of Radioactive Material) (These packages must also be prepared in accordance with 49 CFR 171.403)									

FORM 549 (10-99)

FORM 641 ADDCO SERVICES, INC. UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST CONTAINER AND WASTE DESCRIPTION Additional Nuclear Regulatory Commission (NRC) Requirements for Control, Transfer and Disposal of Radioactive Waste

1. GRANULE TOTALS  
SPECIAL NUCLEAR MATERIAL (SNM)

NET WASTE VOLUME	NET WASTE WEIGHT	U-235	U-238	Pu	TOTAL
0.0399 gal	13.3398 lbs	NP	NP	NP	NP
1.4000 gal	25.0000 lbs	NP	NP	NP	NP

2. MANIFEST NUMBER: 07-0163-88  
3. PAGE 1 OF 1 PAGE(S)  
4. SHIPPER NAME: US SILICA FOR THE ACCOUNT  
SHIPMENT ID NUMBER: 61389

CONTAINER IDENTIFICATION NUMBER / SC PERIOD	CONTAINER DESCRIPTION (See Note 4 & Note 7A)	VOLUME (GAL)	WASTE AND CONTAINER WEIGHT (LBS)	SURFACE RADIATION LEVEL (MR/hr)	SURFACE CONTAMINATION (See Note 2)		WASTE DESCRIPTION (See Note 2)	APPROXIMATE WASTE VOLUME IN CONTAINER (GAL)	SOLIDIFICATION / STABILIZATION MEDIA (See Note 3)	CHEMICAL / POLYMER / CHELATING AGENT / ADSORBENT	WEIGHT % (P-016)	RADIOLOGICAL DESCRIPTION		WASTE CLASSIFICATION (See Note 5)	
					ALPHA	BETA/GAMMA						INDIVIDUAL RADIONUCLIDES AND ACTIVITY DATA AND CONTAINER TOTAL OR CONTAINER TOTAL ACTIVITY AND RADIONUCLIDE PERCENT	PERCENT		
07-0163-016A	1983 RAILROAD AVENUE REMPORT, NJ 08241	0.0399	11.3398	0.2	NP	NP	32M	0.0399	100	SEALED SOURCE CALIBRATOR	N/A	C-9-137	1.8500E+03	6.0000E+01	AU
		1.4000	25.0000	0.0	NP	NP		1.4000				Subtotal	1.8500E+03	6.0000E+01	
												Total	1.8500E+03	6.0000E+01	

NOTE 1: Container Descriptions Below. For containers/waste requiring disposal to approved licensed or regulated packers the nomenclature used must be followed by "OP".

NOTE 2: Waste Descriptors Below. (Choose up to three which best describe by volume.)

NOTE 3A: Barriert Specific Waste Descriptors (Choose all applicable codes.)

NOTE 3B: Barriert Specific Waste Descriptors (Choose all applicable codes.)

NOTE 3C: Barriert Specific Solidification and Stabilization Media Codes (Choose one code if applicable.)