



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

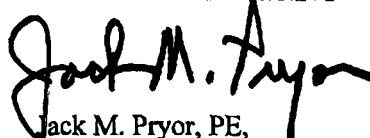
U.S. Silica Company • P.O. Box 187, Berkeley Springs, WV 25411-0187 • (800) 243-7500

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: 5201 Serial No: B3414

Isotope: Cs-137 Activity: 50 mCi

Source Serial: GV-8890

Location: STORAGE

Test Type: Lab Counting

Result: Positive Negative <2.5E-5 uCi

Analyzed on: January 04, 2007

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


Michael Fontana

Person Responsible

US Silica License

Reg. Lic. No. 7704

019 23 998
913 272 2774

www.thermo.com

P. 2/4

10:13042583588

1557859129

JUN-21-2007 07:58 FROM: U.S. SILICA

Missile
Nuclear License
47-09375-07

07-0183 SB

FORM 549 UNIFORM LOW-LEVEL RADIOACTIVE WASTE MANIFEST SHIPPING PAPER		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 pre-allocated prior to shipment) 07-0183 SB	
1. EMERGENCY TELEPHONE NUMBER (Provide Any Code) 856 907 4238		3C PERMIT NA		SHIPMENT NUMBER 07-0183 SB		X CONTAINER TYPE (Specify)		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	
ORGANIZATION US SILICA		CONTACT SCOTT EVBS		TELEPHONE NUMBER (Include Area Code) 856-788-9729		SIGNATURE - Authorized employee who originates manifest <i>[Signature]</i>		DATE 6/21/07		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.	
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		4. CARRIER - Name and Address ADCOX EXPRESS, INC. 17890 DUVAN DRIVE TINLEY PARK, IL 60477		B/L D. NUMBER 647287344		SHIPMENT DATE 6/21/07		TELEPHONE NUMBER (Include Area Code) 708-428-2013	
4. DOES EPA REGULATED WASTE REQUIRING A MANIFEST ACCOMPANY THIS SHIPMENT? a. YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		EPA MANIFEST NUMBER NONE REQUIRED		CONTACT DOB CASSETT <i>[Signature]</i>		DATE 6/21/07		TITLE EHS		DATE 6/21/07	
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 IN Ci	
UN 2915, Radioactive material, Type A Package, 7		NA		2		BOLD SEALED SOURCE/GAUGE		CS-17		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 then check in all relevant boxes. <input type="checkbox"/> Package labeled as "Limited Quantity of Radioactive Material" on this manifest (verify that the appropriate marking specifications in 49 CFR 173.123 for radioactive material are met and that the quantity of material is correct). <input type="checkbox"/> Package labeled as "NON-REGULATED MATERIAL" on this manifest and certified in accordance with 49 CFR 173.123 (Department of Radioactive Material). These materials must not be shipped in excess of 45 g net weight.									

FORM 549 (10-99)

FORM 641 **ADCO 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. MANIFEST TOTALS		SPECIAL NUCLEAR MATERIAL (SNM)				2. MANIFEST NUMBER 07-0163-88
		U-235	U-238	Pu	TOTAL	
NET WASTE VOLUME	NET WASTE WEIGHT	U-235	U-238	Pu	TOTAL	3. PAGE 1 OF 4 PAGE(S)
0.0399	13.3398	NP	NP	NP	NP	
1.4000	25.0000	NP	NP	NP	NP	4. SHIPPER NAME US SILICA/FOR THE ACCOUNT
ALL NUCLIDES	TOTAL	C-14	Tc-99	U-232	SOURCE	
1.8898E+01	NP	NP	NP	NP	(0g)	NA
3.0098E+01	NP	NP	NP	NP	(0g)	NA
SHIPMENT ID NUMBER						61389

6. CONTAINER IDENTIFICATION NUMBER / SC PERIOD					7. CONTAINER DESCRIPTION (See Note 4 & Note 7A)					8. VOLUME (L)		9. WASTE AND CONTAINER WEIGHT (LBS)		10. SURFACE RADIATION LEVEL (SEE NOTE 7B)		11. WASTE DESCRIPTION (See Note 2)		12. APPROXIMATE WASTE VOLUME BY CONTAINER (GAL)		13. CHEMICAL / PHYSICAL / BIOLOGICAL DESCRIPTION		14. RADIOLOGICAL DESCRIPTION		15. WASTE CLASSIFICATION (See Note 8)									
CONTAINER TOTAL OR CONTAINER TOTAL ACTIVITY AND RADIATION LEVEL PERCENT		INDIVIDUAL RADIONUCLIDES AND ACTIVITY DATA AND CONTAINER TOTAL ACTIVITY AND RADIATION LEVEL PERCENT		ALPHA		BETA/GAMMA		WASTE DESCRIPTION (See Note 2)		SOLIDIFICATION / STABILIZATION MEDIA (See Note 3 & Note 3A)		CHEMICAL / PHYSICAL / BIOLOGICAL DESCRIPTION		WEIGHT % CHEMICAL ADSORPTION		RADIOLOGICAL		LBS		GROSS													
07-0163-016A 1983 RAILROAD AVENUE REMPORT, NJ 08241					4					0.0399		11.3398		OR		NP		NP		30M		100		SEALED SOURCE CALIBRATED		C-137		1.8500E+03		6.0000E+01		AU	
					1.4000					25.0000		1.0		NP		NP		1.4000						Subtotal		1.8500E+03		6.0000E+01					
Shipments Totals					0.0399					11.3398														Total		1.8500E+03		6.0000E+01					
					1.4000					25.0000																							

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

1. Wood or Case	4. Drum/Can
2. Metal Box	5. Gas Cylinder
3. Plastic Drum or Pail	6. Spill Unpackaged Waste
7. Metal Drum or Pail	8. Liquid/Agged Components
8. Metal Tank or Liner	9. High Activity Container
9. Concrete Form or Liner	10. Other (Specify in Item 6)
10. Polyethylene Tank or Liner	11. Other (Specify in Item 6)
11. Fiberglass Tank or Liner	

NOTE 2: Surface Radiation Level Descriptions (Choose one code as may be applicable)

A. High Activity Container - Poly
B. High Activity Container - Poly with Steel Shell
C. High Activity Drum Container - Poly
D. High Activity Container - Steel/Al Steel
E. High Activity Container - Fiberglass
F. Liner - Steel

NOTE 3: Waste Descriptions Codes (Choose up to three which best describe by volume)

20. Ceramic	25. Comminution Residue	30. Evaporator Bottoms/Residual Concentrate
21. Inorganic Ash	26. Calcium Hydroxide Sludge	31. Comminution Residue
22. Slag	27. Ash	32. Comminution Residue
23. Gas	28. Organic Liquid (except oil)	33. Comminution Residue
24. Oil	29. Organic Liquid (except oil)	34. Comminution Residue
25. Organic Liquid	30. Organic Liquid (except oil)	35. Comminution Residue
26. Organic Liquid	31. Organic Liquid (except oil)	36. Comminution Residue
27. Ash	32. Comminution Residue	37. Fuel or Flaming Hazardous

NOTE 3A: Surface Radiation Level Descriptions (Choose all applicable codes)

D. Gamma
H. Heat
I. Corrosive
J. Non-combustible
K. Air Transportable
L. Acceptor

NOTE 4: Solidification and Stabilization Media Description (Choose up to three which predominantly describe the waste) (Specify in Item 6)

1. Cement	4. Vinyl Ester/ Styrene
2. Concrete	5. Other (Specify in Item 10)
3. Grout	6. Other (Specify in Item 10)
4. Other (Specify in Item 10)	7. Other (Specify in Item 10)
5. Other (Specify in Item 10)	8. Other (Specify in Item 10)
6. Other (Specify in Item 10)	9. Other (Specify in Item 10)
7. Other (Specify in Item 10)	10. Other (Specify in Item 10)

NOTE 5: Surface Radiation Level Descriptions (Choose one code if applicable)

1. High Activity
2. High Activity with Steel Shell
3. High Activity Drum
4. High Activity Container - Steel/Al Steel
5. High Activity Container - Fiberglass
6. Liner - Steel

FORM 541 (10-98)