

AQUILA DOCK

P.O. BOX 250 CEREDO WV 25507



SHIPPING: 2625 US RT 52 SOUTH KENOVA WV 25507

PH (304) 453-6161 FAX (304) 453-1117

NMSB3

United States Nuclear Regulatory Commission
Nuclear Materials Safety Branch
475 Allendale Road
King of Prussia, PA. 19406

November 1, 2007

Attn: Licensing Section
Re: New Application

L 25500
03037573
03120

Dear Sir/ Madam,

(47-25500-02)

Aquila Dock, Inc. wishes to apply for a specific materials license authorizing the use of sealed sources in a gauging device. Included in this request please find the following:

- USNRC Form 313
- Application Attachments A and B (Radiation Safety Program Commitments)
- Radiation Safety Training Documentation (Attachment C)
- Emergency Procedure (Attachment D)
- Drawing of Facility (Attachment E)
- Check in the amount of \$1,400.00

If there are any questions please contact my office at (606)-739-0001.

Best Regards,

Alan Johnston
Vice President
Aquila Dock, Inc.

2007 NOV -9 AM 10:46
RECEIVED
REGION 1

14/301
NMSS/RGN1 MATERIALS-002

NRC FORM 313
(11-2003)
10 CFR 30, 32, 33,
34, 35, 36, 39, and 40

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3160-0120

EXPIRES: 10/31/2005

APPLICATION FOR MATERIAL LICENSE

Estimated burden per response to comply with this mandatory collection request: 7 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 Infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), 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.

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 19405-1415

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
51 FORSYTH STREET, S.W., SUITE 23T85
ATLANTA, GEORGIA 30303-8931

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 76011-8064

L 25500
030 37573
03120

(47-25500-02)

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.

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

- A. NEW LICENSE
- B. AMENDMENT TO LICENSE NUMBER
- C. RENEWAL OF LICENSE NUMBER

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

Aquila Dock, Inc.
~~2625 US Route 52 South~~ P.O. Box 250
~~Kenova, WV 25930~~ Ceredo, WV 25507
REF. 11/20/02
PHONE CALL WITH LICENSE REC.

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

2625 US Route 52 South
Kenova, WV 25530

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

John Morrison

TELEPHONE NUMBER

(606) 739-0001

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. (Medical use applicants: Complete NRC Form 313A)

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: \$ AMOUNT ENCLOSED: \$

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, 39, 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 62 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

Vice President

SIGNATURE

DATE

11-5-02

FOR NRC USE ONLY

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

ATTACHMENT A

USNRC License Application Attachment A (2 pages)

Item 1

Application for a new license for fixed gauge possession and use.

Item 2

Aquila Dock, Inc.
2625 US Route 52 South
Kenova, WV 25530

Item 3

Locations of Use:

Same as above

Item 4

John Morrison PH: (606)-739-0001
 FAX: (606)-739-0103
 Email: jmorrison@rtcltd.com

Item 5

<u>Cf-252</u>	Sealed Source Manuf:	Amersham Model CVN.CY6
	Device Manuf.:	Frontier Technology Model 100 Series
		Gamma-Metrics Model CB-HI

<u>Cs-137</u>	Sealed Source Manufacturer:	Amersham Model CDC.705
	Device Manuf.:	Isotope Products Model 225
		Gamma-Metrics Model CB-HI

Possession will not exceed the activity per source as authorized in Sealed Source and Device Registry CA0305D106S. Total activity will not exceed 20 millicuries for Cs-137 and 28 millicuries for Cf-252.

Item 6

The devices are to be used as listed on the SSDR, specifically the elemental analysis of bulk material.

Item 7

- 7.1 Mr. John Morrison: Mr. Morrison successfully completed a training course commensurate with the requirements as stated in NUREG 1556, Vol. 4, Appendix G.
- 7.2 Authorized Users: John Morrison, Tim Stroud and additional individuals that have successfully completed a training course commensurate with requirements as stated in NUREG 1556, Vol. 4, Appendix G.

Documentation of training is included as Attachment C.

Item 8

Aquila Dock, Inc. shall train individuals that could exceed the exposure limits for members of the public as required in 10CFR19.12.

Item 9

Licensed material shall be located as per the criteria in NUREG 1556, Vol. 4, Facilities and Equipment. The devices shall be secured against unauthorized removal or access or maintained under constant surveillance as described in 10CFR20.1801 and 1802.

Devices and Storage Areas shall be labeled or posted as "Caution Radioactive Materials". The labels or signs shall be conspicuous.

Aquila Dock, Inc. shall ensure that devices are operated within the temperature parameters as provided by the manufacturer to ensure device integrity.

Item 10

See Attachment B

ATTACHMENT B

USNRC License Renewal Attachment B (2 pages)

Program Reviews

The Aquila Dock, Inc. RSO or designee shall review the radiation safety program content at least annually. The results of the review shall be documented and the records maintained as required by regulation.

Survey Instruments

Aquila Dock, Inc. shall maintain calibrated survey instruments for compliance with 10CFR20.1501 or use the services of a person specifically authorized to perform such services. A licensed vendor shall calibrate survey meters at least annually. The survey instruments shall have ranges applicable to the expected radiation levels associated with the licensed devices.

Inventory

Physical inventories of licensed material shall be performed semi-annually and records maintained as required.

Personal Monitoring

Personal monitoring shall be provided to individuals likely to receive exposures in excess of 10% of the annual limits or at the discretion of the Radiation Safety Officer. Radiation survey results have verified that exposure to workers during routine use and Authorized Users during routine maintenance will not exceed the 500 millirem annual exposure requiring monitoring.

Public Dose

Aquila Dock, Inc. shall ensure that exposure to the members of the general public does not exceed the limits as specified in 10CFR20.1301.

Operating and Emergency Procedures

Operating and Emergency Procedures will be implemented and maintained to meet the criteria in the section entitled "Radiation Safety Program-Operating and Emergency Procedures" in NUREG 1556, Vol 4.

In the event that an emergency takes place that could cause damage to licensed material or excessive radiation exposure, Aquila Dock, Inc. will remove the device from service,

restrict access and contact responsible individuals including manufacturer. Notification to the USNRC shall be performed as required in 10CFR 20, 21 and 30. An Emergency Procedure is included as Attachment D.

Leak Testing

Leak testing of sealed sources covered under the license shall be performed at such intervals as specified in the SSD Registration. Analysis shall be provided by individuals licensed to perform that analysis and records maintained as required.

Routine Maintenance

Routine maintenance shall be performed as per the guidance provided by the device manufacturer. Replacement components shall meet the standards as prescribed by the manufacturer.

Non-Routine Maintenance

Aquila Dock, Inc. shall enlist the services of a specifically licensed service provider to conduct non-routine maintenance.

ATTACHMENT C

CERTIFICATE OF RADIOLOGICAL TRAINING

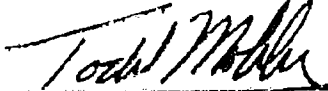
This is to certify that

John Morrison

has successfully completed the

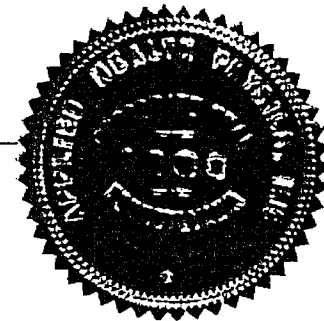
**24-HOUR RADIATION SAFETY OFFICER TRAINING
COURSE AND INSTRUCTION AS REQUIRED BY
NUREG-1556, VOLUME 4, APPENDIX G**

*presented by Applied Health Physics, Inc.
March 23rd through March 25th, 2005*



Todd Y. Mobley
Director, Technical Services

Date March 25, 2005





CERTIFICATE OF RADIOLOGICAL TRAINING

This is to certify that

John Morrison

has successfully completed the

**8 HOUR RADIATION SAFETY OFFICER REFRESHER
TRAINING AND INSTRUCTION AS REQUIRED BY
NUREG-1556, VOLUME 4, APPENDIX G**

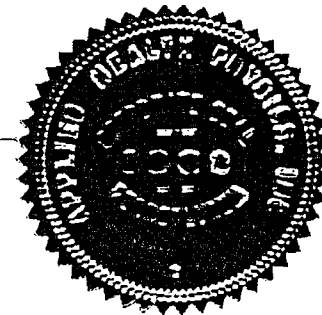
presented by Applied Health Physics, Inc.

March 19th, 2007

Todd Y. Mobley
Director, Technical Services

March 19, 2007

Date



CERTIFICATE OF RADIOLOGICAL TRAINING

This is to certify that

Tim Stroud

has successfully completed the

***24-HOUR RADIATION SAFETY OFFICER TRAINING
COURSE AND INSTRUCTION AS REQUIRED BY
NUREG-1556, VOLUME 4, APPENDIX G***

presented by Applied Health Physics, Inc.

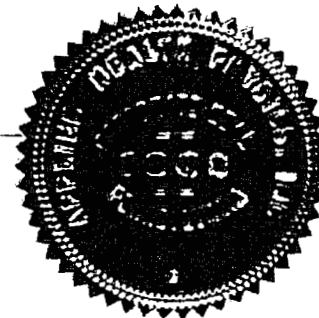
March 23rd through March 25th, 2005



Todd Y. Mobley
Director, Technical Services

March 25, 2005

Date





Applied HEALTH PHYSICS, Inc.

CERTIFICATE OF RADIOLOGICAL TRAINING

This is to certify that

Tim Stroud

has successfully completed the

**8 HOUR RADIATION SAFETY OFFICER REFRESHER
TRAINING AND INSTRUCTION AS REQUIRED BY
NUREG-1556, VOLUME 4, APPENDIX G**

presented by Applied Health Physics, Inc.

March 19th, 2007

Todd Y. Mobley
Director, Technical Services

March 19, 2007

Date



ATTACHMENT D

EMERGENCY PROCEDURE

In The Event Of An Incident Or Suspected Exposure Problem
Involving
Radioactive Sources

**IMMEDIATELY
NOTIFY**

<u>Radiation Safety Officer</u>	<u>Telephone Numbers</u>
John Morrison	Duty: (606)-739-0001 After Duty: [REDACTED]
<u>Alternate</u> Tim Stroud	Duty: [REDACTED] After Duty: [REDACTED]
<u>Applied Health Physics</u>	800-332-6648
<u>USNRC</u>	301-816-5100

Examples of Incidents Requiring RSO Notification

1. Suspected overexposure
2. Damage to gauge
3. Shutter stuck in the open position
4. Excessive radiation levels outside of the Restricted Area
5. Loss of source

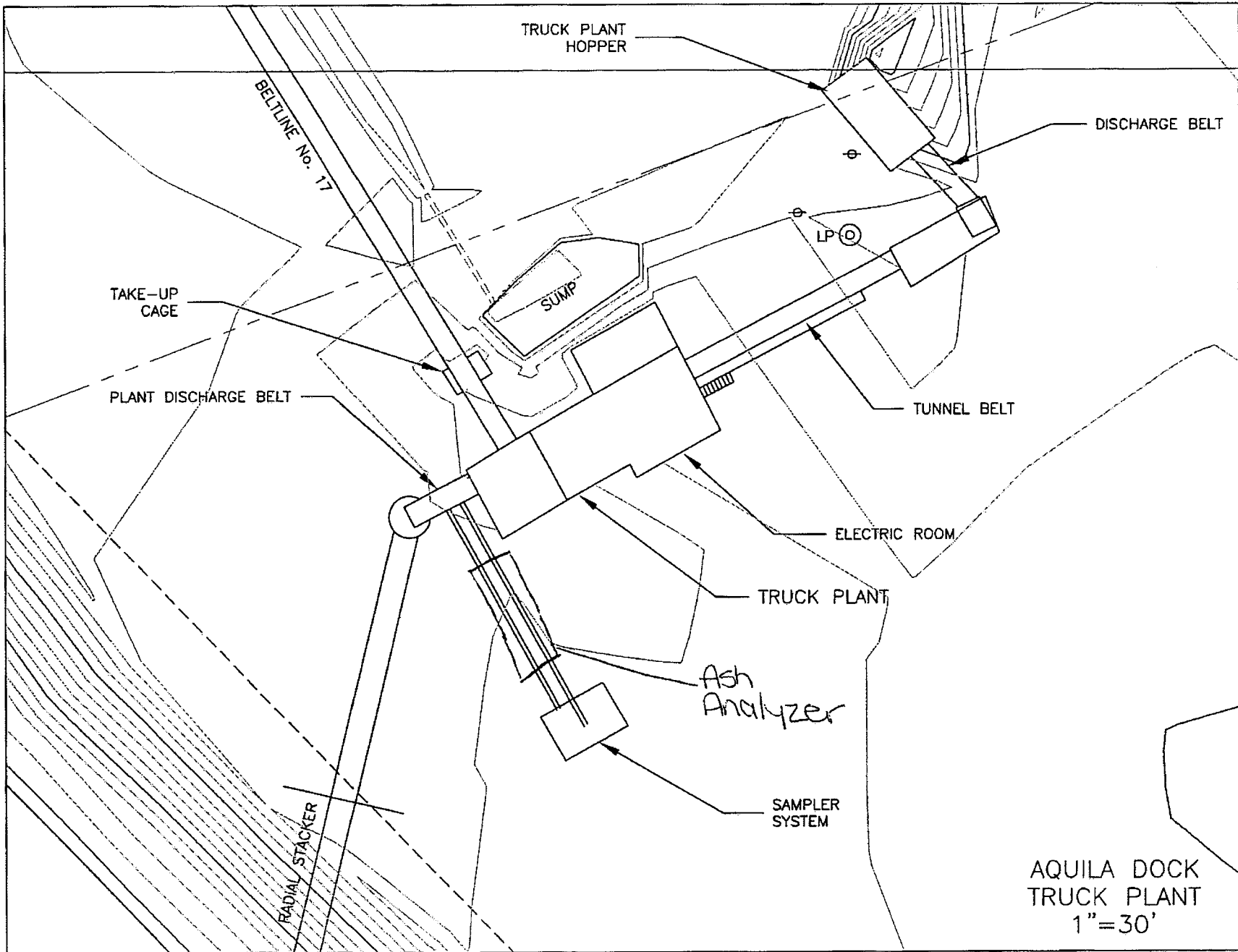
1. Isolate device to a minimum of 15 feet
2. Make notifications as necessary
3. Evaluate damage
4. Leak test and send for expedited analysis

**The RSO shall make notification to the proper
regulatory authority as required.**

PERSONAL INFORMATION WAS REMOVED
BY NRC. NO COPY OF THIS INFORMATION
WAS RETAINED BY THE NRC.

ATTACHMENT E

P:\AQUILA\DOCK\RTC-LTD\TRUCKPLANT_BX11.dwg, Model, 1:30



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

11/5/2007, and to inform you that the initial processing which includes an administrative review has been performed.

NEW LICENSE APPLICATION (03037573)
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** 141301.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

BETWEEN: : (FOR LFMS USE)
 : INFORMATION FROM LTS
 : -----
 :
 License Fee Management Branch, ARM : Program Code: 03120
 and : Status Code: 3
 Regional Licensing Sections : Fee Category: _____
 : Exp. Date: 0
 : Fee Comments: _____
 : Decom Fin Assur Reqd: _
 : ::

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED
 Applicant/Licensee: AQUILA DOCK, INC.
 Received Date: 20071109
 Docket No: 3037573
 Control No.: 141301
 License No.: 47-25500-02
 Action Type: New License

2. FEE ATTACHED
 Amount: \$1,400.00
 Check No.: 3023

3. COMMENTS

Signed *M. C. Leckman*
 Date 11/13/2007

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 _____

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

11/5/2007, and to inform you that the initial processing which includes an administrative review has been performed.

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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.

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

NRC FORM 532 (RI)
(6-96)

Sincerely,
Licensing Assistance Team Leader

(RESEND)