ATC ASSOCIATES INC.

3 Terri Lane
Burlington, New Jersey 08016
www.atcassociates.com
609.386.8800
Facsimile: 609.386.7951

November 21, 2008

Br. 3

U.S. Nuclear Regulatory Commission, RI
Division of Nuclear Materials Safety
Materials Security and Industrial Branch
475 Allendale Road
King of Prussia, PA 19406

03036466

Re: Amendment to License Number: 29-30863-01

Dear Sirs:

We are submitting this letter to formally amend our existing NRC license #29-30863-01 for the following items

1. Paragraph 12 – Amend license to reveal William J. Carty as the new Radiation Safety Officer and Robert S. Hawthorne, Jr. the assistant RSO.

2. Paragraph 9 – Amend license to state "In Troxler Electronic Laboratories Model Series 3200, 3400 and 4600 portable gauging devices to measure the moisture content and density of soils, soil-stone aggregates, cement and asphalt treated bases and asphalt surfacing and roofing".

Thank you for your help in this matter. Should you have any questions regarding this matter please feel free to contact our office.

Sincerely,

ATC Associates Inc.

William J. Carty

William J. Carty
Manager, CQC-CMT / RSO

Enclosed: copy of License with changes noted;
copy of RSO Training Certificate,
HAZMAT Certificate and Refresher course for William J. Carty

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NMSS/RGN1 MATERIALS-002

NRC FORM 374 U.S. NUCLEAR REGULATORY COMMISSION PAGE 1 OF 4 PAGES

CORRECTED COPY

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee	
1. ATC Associates Inc.	3. License number 29-30863-01
2. Three Terri Lane Burlington, New Jersey 08016	4. Expiration date January 31, 2014
	5. Docket No. 030-36466 Reference No.

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Cesium 137	A. Sealed Sources (AEA Technologies/QSA Model CDCW.556, Isotope Products Laboratories Model HEG-137, 3021 and 3027)	A. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State
B. Americium 241	B. Sealed Sources (AEA Technology/QSA Model AMNV.997, Isotope Products Laboratories Model Am1.NO2)	B. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State

9. Authorized use:

A. and B. In Troxler Electronics Laboratories Model No. 3440 portable gauging devices for measuring physical properties of materials.

AMEND AS PER LETTER.

License Number
29-30863-01

Docket or Reference Number
030-36466

MATERIALS LICENSE
SUPPLEMENTARY SHEET

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CONDITIONS

10. Licensed material may be used or stored at the licensee's facilities located at Three Terri Lane, Burlington, New Jersey, and may be used at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material, including areas of exclusive Federal jurisdiction within Agreement States.

    If the jurisdiction status of a Federal facility within an Agreement State is unknown, the licensee should contact the Federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive Federal jurisdiction shall be obtained from the appropriate state regulatory agency.

11. Licensed material shall be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the [application dated December 19, 2003.

12. The Radiation Safety Officer for this license is Joanna McErlean. WILLIAM J. CARTY
    ROBERT S. HAWTHORNE, JR, ASSISTANT RSO

13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.

14. Sealed sources or source rods containing licensed material shall not be opened or sources removed or detached from source rods or gauges by the licensee, except as specifically authorized.

15. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.

    B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.

    C. Sealed sources need not be tested if they are in storage and are not being used; however, when they are removed from storage for use or transferred to another person and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

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D. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.

E. Tests for leakage and/or contamination, limited to leak test sample collection, shall be performed by the licensee or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. The licensee is not authorized to perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.

F. Records of leak test results shall be kept in units of microcuries and shall be maintained for 5 years.

16. The licensee shall conduct a physical inventory every six months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.

17. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport or storage, or when not under the direct surveillance of an authorized user.

18. Any cleaning, maintenance, or repair of the gauges that requires detaching the source or source rod from the gauge shall be performed only by the manufacturer or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.

19. A. If the licensee uses unshielded sealed sources extended more than 3 feet below the surface, the licensee shall use surface casing that extends from the lowest depth to 12 inches above the surface and other appropriate procedures to reduce the probability of the source or probe becoming lodged below the surface. If it is not feasible to extend the casing 12 inches above the surface, the licensee shall implement procedures to ensure that the cased hole is free of obstruction before making measurements.

B. If a sealed source or a probe containing sealed sources becomes lodged below the surface and it becomes apparent that efforts to recover the sealed source or probe may not be successful, the licensee shall notify the U.S. Nuclear Regulatory Commission and submit the report required by 10 CFR 30.50(b)(2) and (c). The licensee shall not abandon the sealed source or probe without obtaining the Commission's prior written consent.

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20. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

21. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

    A. Application dated December 19, 2003

For the U.S. Nuclear Regulatory Commission

Date January 21, 2004

By

Sattar Lodhi, Ph.D.
Nuclear Materials Safety Branch 2
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406

60032826

Certificate of Completion

This certifies that

William J Carty

has successfully completed the

Radiation Safety Officer Class

conducted by the training department of

Troxler Electronic Laboratories, Inc.

Harvey Dunlevy

Harvey Dunlevy
Instructor

12/2/2004
Date

William F. Troxler, Jr.
President

TROXLER
Troxler Electronic Laboratories, Inc.
PO Box 12057 • 3008 Cornwallis Rd. • Research Triangle Park, NC 27709
Phone: (919) 549-8661 • Fax: (919) 549-0761 • Web site: www.troxlerlabs.com

Enrollment ID: **10898**

HAZMAT Certification

as required by U.S. DOT and IATA

This certifies that

William J Carty

has been trained and tested in accordance with the U.S. Department of Transportation and International Air Transport Association (IATA) hazardous material requirements for general awareness/familiarization, function-specific, safety, and security awareness training as related to the transportation of nuclear gauges. A description of the training course materials is available from Troxler Electronic Laboratories, Inc.

12/2/2004	12/2/2006	12/2/2007	Harvey Dunlevy
Training Date	*Expiration per IATA**	*Expiration per USDOT**	*Instructor*

**** For shipments by air, the IATA expiration date is applicable. For shipments by highway, the USDOT expiration is applicable.***

Troxler Electronic Laboratories, Inc.
PO Box 12057 • 3008 Cornwallis Rd. • Research Triangle Park, NC 27709
Phone: (919) 549-8661 • Fax: (919) 549-0761 • www.troxlerlabs.com

Certified by

Company Official: _____

Company Name: ATC ASSOCIATES, INC.

Company Address: 3 TERRI LANE
BURLINGTON, NJ 08016

Enrollment ID: **10898**

Q/C RESOURCE

TRAINING COURSE CERTIFICATION

This is to certify that

William J. Carty

has completed annual refresher training in the proper transport of nuclear density gauges in accordance with CFR Title 49, Sections 170 - 189, as required by the U.S. Nuclear Regulatory Commission and the Agreement States.

William J. Carty	139-68-4470	ATC Associates, Inc.
Employee Signature	*Employee Social Sec. #*	*Employer Name*

My signature certifies that I have received training regarding the safe operation and transport of nuclear density gauges and have read, reviewed, and understand the emergency procedures instituted by my employer.

September 15, 2008	Burlington, New Jersey	William J. Carty, RSO
Date of Training	*Location of Training Materials*	*Instructor Signature*

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

11/21/08, and to inform you that the initial processing which includes an administrative review has been performed.

Amendment (29-30863-01)

☒ 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

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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** 143060.
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