

NRC FORM 313  
(4-2008)  
10 CFR 30, 32, 33,  
34, 35, 36, 39, and 40

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 10/31/2008

Estimated burden per response to comply with this mandatory collection request: 4.4 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 and FOIA/Privacy Services Branch (T-5 F53), 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.

APPLICATION FOR MATERIALS LICENSE

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:

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM  
DIVISION OF NUCLEAR MATERIALS SAFETY  
U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

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  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352

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ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, 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 BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
612 E. LAMAR BOULEVARD, SUITE 400  
ARLINGTON, TX 76011-4125

LL 31358  
030 37970  
03121

(29-31358-01)

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)

Assured Testing, LLC  
P.O. Box 362  
Vienna, NJ 07880

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Permanent storage - 24 Barker Mill Road Hackettstown, NJ 07840  
Temporary storage- "Anywhere the NRC maintains jurisdiction for regulating the use of radioactive material"

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Joseph Macdougall

TELEPHONE NUMBER

(908) 894-0347

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.

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 3P AMOUNT ENCLOSED \$ 1,300.00

13. CERTIFICATION (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT

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

Joseph Macdougall

SIGNATURE

Joseph Macdougall

DATE

02/12/2009

FOR NRC USE ONLY

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

143430

RECEIVED  
REGION I  
FEB 12 2009  
PM 12:50

## Application for materials License Answers

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### No. 5 Radioactive Material

a. Element and Mass Number	b. Chemical and/or physical form	c. Maximum amount that will possessed at one time
A. Cesium -137	Sealed source Troxle Dwg. 102112	No single source to exceed 9mCi
B. Americium-241	Sealed Source Troxle Dwg. 102451	No single source to exceed 44mCi

## Application for materials License Answers

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### **No.6 Purposes for which Licensed Material will be used**

- A. To be used in Troxler model 3400 series gauges for measurement of physical properties of materials
- B. To be used in Troxler model 4640 series gauges for measurement of physical properties of materials

## Application for materials License Answers

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### **No. 7 Individual for Radiation Safety Program and Their Training Experience**

Joseph Macdougall- Assured testing RSO

Training experience:

- a) Radiation Safety Officer Training Class certificate I.D. No. 15553045(See Enclosed Certificate)
- b) Hazmat Certification I.D. No. 15553045(See Enclosed Certificate)

ITEM # 7

# HAZMAT Certification

as required by U.S. DOT and IATA

This certifies that  
Joseph A. Macdougall

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.

Training Date  
January 29, 2009

Expiration Date  
3 Years from Date of Class

Instructor  
Harvey Dunlevy



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

## Hazmat Employer Certification

Company:

Company Official: Joseph Macdougall Date: 2-12-2009

Enrollment ID: 15553045

# Certificate of Completion

This certifies that

*Joseph A. Macdougall*

has successfully completed the  
Radiation Safety Officer Training Class  
conducted by the training department of

*Troxler Electronic Laboratories, Inc.*

*Harvey Dunlevy*

Harvey Dunlevy  
Instructor

January 29, 2009

Date

*William F. Troxler, Jr.*  
President



Troxler Electronic Laboratories, Inc.  
PO Box 12057 \* 3008 Cornwallis Rd. \* Research Triangle Park, NC 27709  
Phone: (919) 549-8861 \* Fax: (919) 549-0761 \* Web site: [www.troxlerlabs.com](http://www.troxlerlabs.com)

15553045

ITEM #7

## Application for materials License Answers

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### **No. 8 Training for individuals working in or Frequenting restricted areas.**

Before using licensed materials, all gauge users will have successfully completed the Troxler Nuclear Gauge Safety training Class.

## Application for materials License Answers

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### **No.9 Facilities and Equipment**

Compliance with regards to security, posting and public dose requirements will be adhered to and can be verified by inspection.

## Application for materials License Answers

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### **No. 10 Safety Program**

Please see enclosed “ Assured Testing, LLC company safety Program”

**Assured Testing, LLC  
Radiation  
Safety Program**

## Item no 10

### A. Radiation Safety Officer

Joseph Macdougall has been designated as the company Radiation Safety Officer and will assume the duties and responsibilities that include but are not limited to:

- (1) Ensuring that all terms and conditions of the license are met and that the information contained in the license is current;
- (2) Ensuring that the nuclear gauge has been leak tested in the required timely manner and that the leak test is performed in the manner prescribed by the nuclear gauge manufacturer;
- (3) Assuring the safe usage of radioactive materials;
- (4) Ensuring that only authorized personnel use the nuclear gauge(s) and that all users wear personnel monitoring equipment when appropriate;
- (5) Assuring that all personnel using a nuclear gauge have had proper training and are certified;
- (6) Maintaining the records as required by the license and the regulations (That is, personnel exposure records, leak test records, training certificates for all users, and an inventory)
- (7) Assuring compliance with all regulations concerning radioactive materials;
- (8) Ensuring that the equipment is properly secured against unauthorized removal at all times when not in use;
- (9) Serving as a point of contact and assisting and notifying the proper authorities in case of an emergency;
- (10) Assuring that all aspects of the Radiation Safety Manual are being followed

### B. Transportation Procedures

- (1) All possible means shall be provided to ensure that the nuclear equipment is fully secured in the transport vehicle and the equipment is away from the passenger compartment. When transporting in an enclosed vehicle (car or van), the vehicle will be locked. When transporting in an open bed vehicle, securely fasten and lock the nuclear gauge to the truck bed.
- (2) The nuclear gauge will be transported in an approved transportation case. The U.S. DOT requires that the nuclear gauge be transported in a properly labeled case and that the case be locked or sealed.
- (3) At all times during transport, the transporter will have a properly completed bill of lading and emergency procedures for each nuclear gauge.

## Item no 10

### C. Operating Procedures

- (1) When the nuclear gauge is in the field, the authorized user must maintain control over the gauge at all times. The gauge must never be left unattended.
- (2) When not making measurements, the gauge should be placed in the transportation case and returned to its permanent storage area as soon as possible. Only use the nuclear gauge for its intended purpose. By doing so, you will maintain any radiation exposure to As Low As Reasonably Achievable.
- (3) When using the nuclear gauge, you will wear the personnel-monitoring device that has been assigned to you. When not using the nuclear gauge, store your monitoring equipment in the designated radiation free area.

### D. Maintenance and Leak Test Procedures

- (1) Periodic maintenance includes cleaning the nuclear gauge. During any maintenance, wear your personnel monitoring equipment.
- (2) Unless otherwise stated on your license, do not perform maintenance that requires the removal of the radioactive source from the nuclear gauge. For this type of maintenance, ship the nuclear gauge to a properly licensed individual or company, as listed:

**Troxler Radiation Monitoring Services  
3008 Cornwallis Road  
Research Triangle, Park, NC 27709**

- (3) The leak test will be performed using the Troxler Model 3880 Leak Test Kit. Perform the leak test according to manufacturer's instructions. When performing a leak test wear personnel-monitoring equipment. Leak test nuclear gauges at intervals not to exceed six months, unless otherwise specified by your license.

### E. Emergency Procedures

In the event of physical damage to a nuclear gauge, the following will be performed:

- (1) Locate the gauge and/or source(s).
- (2) Immediately cordon off an area around the nuclear gauge and/or source(s). A radius of fifteen feet will be sufficient. Do not leave the area unattended.
- (3) Keep all unauthorized personnel from the nuclear gauge.
- (4) If a vehicle is involved, it must be stopped until the extent of contamination, if any, can be established.

## Item no 10

- (5) Perform a visual inspection of the nuclear gauge to determine if the source housing and/or shielding has been damaged.
- (6) At the earliest possible time, when the situation is under control, you must contact **Joseph Macdougall** at **(908) 894-0347**. Describe the present conditions and follow the instructions of the Radiation Safety Officer. The RSO should be the contact with the regulatory agency in all matters.

The RSO should notify the NRC, or Regulatory Agency, as applicable; the local authorities, if necessary for the protection of personnel; or others, as deemed necessary to assure no unauthorized person or persons are in danger of radiation exposure. You may be required to notify the U.S. DOT of accidents occurring in transport.

- (7) In the event that the nuclear gauge is lost or stolen, immediately notify the Radiation Safety Officer

## F. Radiation Safety Manual

### (a) Management

Assured Testing, LLC's managing member (Joseph Macdougall) is also the company designated RSO officer. All employees will strictly adhere to all information noted in this safety plan. The RSO has the final authority for all company matters.

### (b) Radiation Safety Officer Duties:

- 1) Stopping licensed activities that RSO considers unsafe.
- 2) Possession, use, storage, and maintenance of sources and gages are consistent with the limitations of the license, the Sealed Source and Device Registration sheet(s), and manufacturer's recommendations and instructions.
- 3) Individuals using gages are properly trained.
- 4) When necessary, personal monitoring devices are used and exchanged at the proper intervals; records of the results of such monitoring are maintained.
- 5) Gauges are properly secured.
- 6) Proper authority are notified in case of accident, damage to gauges, fire, or theft.
- 7) Unusual occurrences involving the gauge (e.g., accident, damage) are investigated, causes(s) and appropriate corrective action are identified and corrective action is taken.
- 8) Audits are performed at least annually and documented, and corrective action is taken.
- 9) Licensed material is transported in accordance with all applicable DOT requirements.
- 10) Licensed material is disposed properly.
- 11) Appropriate records are maintained.
- 12) Up-to-date licensed is maintained and amendment and renewal requests submitted in a timely manner.

## Item no 10

### **(c) Personnel Monitoring**

Assured Testing, LLC will insure that whole body film or TLD badges be worn by all occupationally exposed employees. Monthly film or TLD badge service will be used. Troxler Radiation Monitoring Services, a division of Troxler Electronic Laboratories, Inc, will perform personnel dosimetry monitoring. Personnel monitoring devices will be worn on the upper torso, somewhere between the belt line and the top of the head.

### **(d) Storage of Radioactive Material**

The permanent storage facility is located at 24 Barkers Mill Road Hackettstown, NJ 07840. At this location the unit will be stored in the appropriate storage case provide by Troxler Laboratories in an unoccupied, secured storage building located at the above address 65 feet from the personal residence. (Please review sketch label d-1)

### **G. Posting**

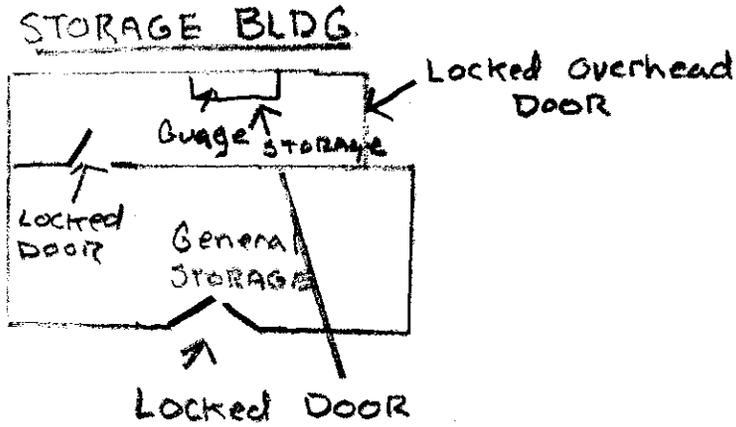
At authorized storage location a permanent sign in clear view, on the access door, yellow in color, bearing the official symbol and the words, "CAUTION RADIOACTWE MATERIALS" and " Notice to Employees." will be installed. Also, a log sheet will be completed by RSO recording inspections of all postings.

### **H. Use of Radioactive Material**

Only trained and certified personnel will be using nuclear gauges. Personnel who have not completed such training will not be allowed to use the nuclear gauge. Utilization logs for each nuclear gauge will be maintained. Included on this log will be the date, the user, the nuclear gauge, the location at which the nuclear gauge will be used, and the users initials. In addition, the log will provide a space to record the return of the nuclear gauge. This area should indicate the user's initials indicating the safe return of the nuclear gauge. Guide lines as follows:

- (1) Do not attempt to use the equipment unless you have been authorized to do so and have been properly trained.
- (2) Keep the source in a "safe" or stored position when not in use.
- (3) Wear personnel monitoring equipment (film badge or TLD) as required.
- (4) Always employ the ALARA principle when using the nuclear gauge.
- (5) All unauthorized personnel should be kept out of the operating area.

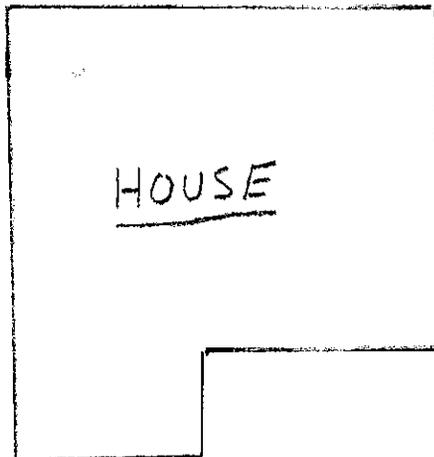
ITEM # 10



DISTANCE FROM HOUSE  
TO GAUGE STORAGE.

= 65 FT

Chains will be eye bolted to concrete floor, attached to Gauge case w/ 2 locks on chains, also 2 locks on gauge cases.



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## Item no 10

- (6) Keep the nuclear gauge locked when not in use.
- (7) Never leave the nuclear gauge unattended, except when properly stored.
- (8) Return the nuclear gauge to its proper storage location when not in use.

### I. Transportation Procedures

The nuclear gauge handle will be locked. The nuclear gauge will be placed in the approved transport case, and the case will be secured to the vehicle with two locks. The nuclear transport case will be locked in the trunk of the vehicle, also secured with two locks.

The transport case will bear labeling marked with DOT 7A, Type A information as required, and Radioactive labels describing the radioactive materials contained in the nuclear gauge.

### J. Records Management

- (1) Maintain an inventory to account for all sealed sources received and possessed under your license at intervals specified by your license.
- (2) Perform leak tests on each source in your possession at intervals not to exceed six **months**. The Troxler Laboratory will furnish Assured Testing, LLC with the results of this examination.
- (3) Reports from Troxler Laboratory will be maintained for inspection.
- (4) Require utilization logs.
- (6) Maintain all records pertaining to the receipt or transfer of radioactive materials. This includes sale and/or transfer to another location. No material will be delivered to an unauthorized or unlicensed agency.
- (7) Maintain for review all records pertaining to training of users.

**The company RSO officer (Joseph Macdougall) will maintain all records at 24 Barkers Mill Road Hackettstown, NJ 07840.**

### K. Inspection of Equipment

Assured Testing, LLC will implement and maintain procedures for routine maintenance (cleaning and lubricating) of our gauge(s) according to manufacturer's recommendations and instructions.

AND

Assured Testing, LLC will send the gauge(s) to the manufacturer to perform non-routine maintenance or repair operations that require removal of the source or source rod from the gauge.

## Application for materials License Answers

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### **No.11 Waste management**

Assured testing will be using Troxler Laboratories to dispose of commercial waste if necessary.

This is to acknowledge the receipt of your letter/application dated 2/12/2009, and to inform you that the initial processing which includes an administrative review has been performed.

NEW LICENSE APPLICATION (03037970)  
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** 143430.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.

Sincerely,  
Licensing Assistance Team Leader