

Despiau Associates Corp.
Soil / Geotechnical Engineering Laboratories

Br3

March 30, 2009

U.S. Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, PA 19406

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03038023
03121

(52-24895-02)

Dear Sir or Madam:

Please find enclosed a new application for the use and handling of radioactive materials.

If your need any further information, please feel free to contact me at (787) 579-5355 or (787) 281-0686.

Sincerely,

DESPIAU ASSOCIATES CORP.

Jose R. Despiau, P.E.
Chief Engineer

RECEIVED
REGION I
2009 APR 13 AM 11: 22

143639

NMSS/RC11

NRC FORM 313 (10-2005)
 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 1/2 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 Service 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, NE0B-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 MATERIAL 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, MISSISSIPPI, 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

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 BRANCH
 U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
 611 RYAN PLAZA DRIVE, SUITE 400
 ARLINGTON, TX 76011-4005

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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) <input type="checkbox"/> A NEW LICENSE <input type="checkbox"/> B AMENDMENT TO LICENSE NUMBER _____ <input type="checkbox"/> C RENEWAL OF LICENSE NUMBER _____	2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code) Despiou Associates Corp. P.O. Box 11562 Santurce Station San Juan, Puerto Rico 00910-2662
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3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED Despiou Associates Corp. Villa Nevarez, State Road PR-21, # 323 San Juan, Puerto Rico 00927	4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION Jose R. Despiou, P.E. TELEPHONE NUMBER (787) 281-0686
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SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER THE N P E 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	RADIATION SAFETY PROGRAM.
11. WASTE MANAGEMENT.	12. LICENSE FEES (See 10 CFR 170 and Section 170.31) FEE CATEGORY 3P \$ 1,400.00

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: Jose R. Despiou
 SIGNATURE: [Signature]
 DATE: 4/9/2009

FOR NRC USE ONLY					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	143639

Item 1 Address

- a) Mailing address
 Despiau Associates
 P.O. Box 11562
 Santurce Station
 San Juan, PR 00910-2662
 (787) 281-0686
 Fax (787) 764-4709

- b) Main Office address
 Despiau Associates
 Urb. Villa Nevarez, 323 PR-21
 San Juan, PR 00927
 (787) 281-0686
 Fax (787) 764-4709

- c) Physical location (storage/location of the Nuclear gauge & records)
 Despiau Associates
 Urb. Villa Nevarez, 323 PR-21
 San Juan, PR 00927
 (787) 281-0686
 Fax (787) 764-4709

Please authorize the use at any temporary job site location within US territories.

The following is based on Portable Gauge Licenses, NUREG 1556 Vol 1, November 2001, Appendix B

Item 5 and 6: Materials to be Possessed and Proposed Uses

Radioisotope	Manufacturer	Quantity	Use as Listed on SSD Certificate	Other Uses Not Listed on SSD Certificate
Cs-137	Device manufacturer: CPN Model(s): MC-1, MC-2, MC-3, MC-1DR, and MC-1DR-P	Not to exceed the maximum activity per device as specified in Sealed Source and Registration Certificate. 10 mCi	Yes	Not Applicable
Am-241	Device manufacturer: CPN Model(s): MC-1, MC-2, MC-3, MC-1DR, and MC-1DR-P	Not to exceed the maximum activity per device as specified in Sealed Source and Registration Certificate. 50 mCi	Yes	Not Applicable

Ra-226	Device manufacturer: Seaman Nuclear Corp Model(s): C-200 and C-300, and C-75	Not to exceed the maximum activity per device as specified in Sealed Source and Registration Certificate. 4.5 mCi	Yes	Not Applicable
Cs-137	Device manufacturer: Seaman Nuclear Corp Model(s): C-200 and C-300, and C-75	Not to exceed the maximum activity per device as specified in Sealed Source and Registration Certificate. 10 mCi	Yes	Not Applicable
Am-241	Device manufacturer: Seaman Nuclear Corp Model(s): C-200 and C-300, and C-75	Not to exceed the maximum activity per device as specified in Sealed Source and Registration Certificate. 50 mCi	Yes	Not Applicable

Item No. and Title	Response
7. Individual(s) responsible for the radiation safety program and their training and experience – Radiation Safety Officer. Name: Jose R. Despiau	Before obtaining licensed material, the proposed RSO will have successfully completed one of the training courses described in Criteria in the section entitled “individuals(s) Responsible for Radiation Safety Program and Their Training and Experience- Radiation Safety Officer” in NUREG-1556, Vol 1, Rev. 1 dated November 2001.
8. Training for individuals working in or frequenting Restricted areas.	Before using licensed materials, authorized users will have successfully completed one of the training course described in Criteria in the section entitled "Training for Individuals Working In or Frequenting Restricted Areas" in NUREG-1556, Vol 1, Rev. 1 dated November 2001.
9. Facilities and equipment.	No information needs to be submitted in response to this item; key issues; are addressed under "Radiation Safety Program – Public Dose" and "Radiation Safety Program – Operating and Emergency Procedures."
10. Radiation Safety Program = Audit Program.	The applicant is not required to, and should not, submit its audit program to NRC for review during the licensing phase.
10 Radiation Safety Program – Termination of activities.	The applicant is not required to submit a response to the termination of activities section during the initial application. However, when the license expires when the licensee ceases operation, NRC Form 314 must be submitted.
10. Radiation Safety Program – Survey Instrument.	We will either possess and use, or have access to and use, a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program – Instruments" in NUREG-1556, Vol 1, Rev. 1 dated November 2001.

10. Radiation Safety Program – Material Receipt and Accountability.	Physical inventories will be conducted at intervals not to exceed 6 months, to account for all sealed sources and devices received and possessed under the license.
10. Radiation Safety Program – Occupational Dosimetry.	Either we will maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20, or we will provide Dosimetry processed and evaluated by an NVLAP approved processor that is exchanged at a frequency recommended by the processor.
10. Radiation Safety Program – Public Dose.	The applicant is not required to submit a response to the public dose section during the licensing phase. This matter will be examined during an inspection.
10. Radiation Safety Program – Operating and Emergency Procedures.	Operating and emergency procedures will be developed, implemented, and maintained and will meet the Criteria in the section entitled "Radiation Safety Program – Operating and Emergency Procedures" in NUREG-1556, Vol 1, Rev. 1 dated November 2001

10. Radiation Safety Program – Leak Test.	Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the sealed Sources and Device Registration Sheets. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services for other licensees or using a leak test kit supplied by an organization authorized by NRC or Agreement State to provide leak tests kits to other licensees and according to the kit supplier's instructions.
10. Radiation Safety Program – Maintenance.	<p style="text-align: center;"><i>Routine Cleaning and Lubrication</i></p> <p>We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.</p> <p style="text-align: center;"><i>Non-Routine Maintenance</i></p> <p>We will send the gauge to the manufacturer or other person authorized by the NRC or an Agreement State to perform non-routine maintenance or repair operations that require the removal of the source or source rod from the gauge.</p>
10. Radiation Safety Program – Transportation.	The applicant is not required to submit a response to transportation during the licensing process. However, this issue will be reviewed during an inspection.
11. Waste Management – Gauge Disposal and Transfer.	The applicant is not required to submit a response to waste management during the licensing process. However, the licensee should develop, implement, and maintain gauge transfer and disposal procedures in its radiation protection program.

CRMI

Consultores de Radiación Medica e Industrial NRC License 52-25430-01

This certifies that

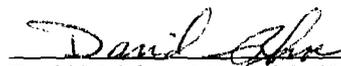
Jose R. Despiau

Has successfully completed the courses entitled:

Radiation Safety Officer

April 4, 2009

This course provides the continuing education requirements in compliance with the 49 Code of Federal Regulations Part 172.704 and the Nuclear Regulatory Commission NUREG 1556.

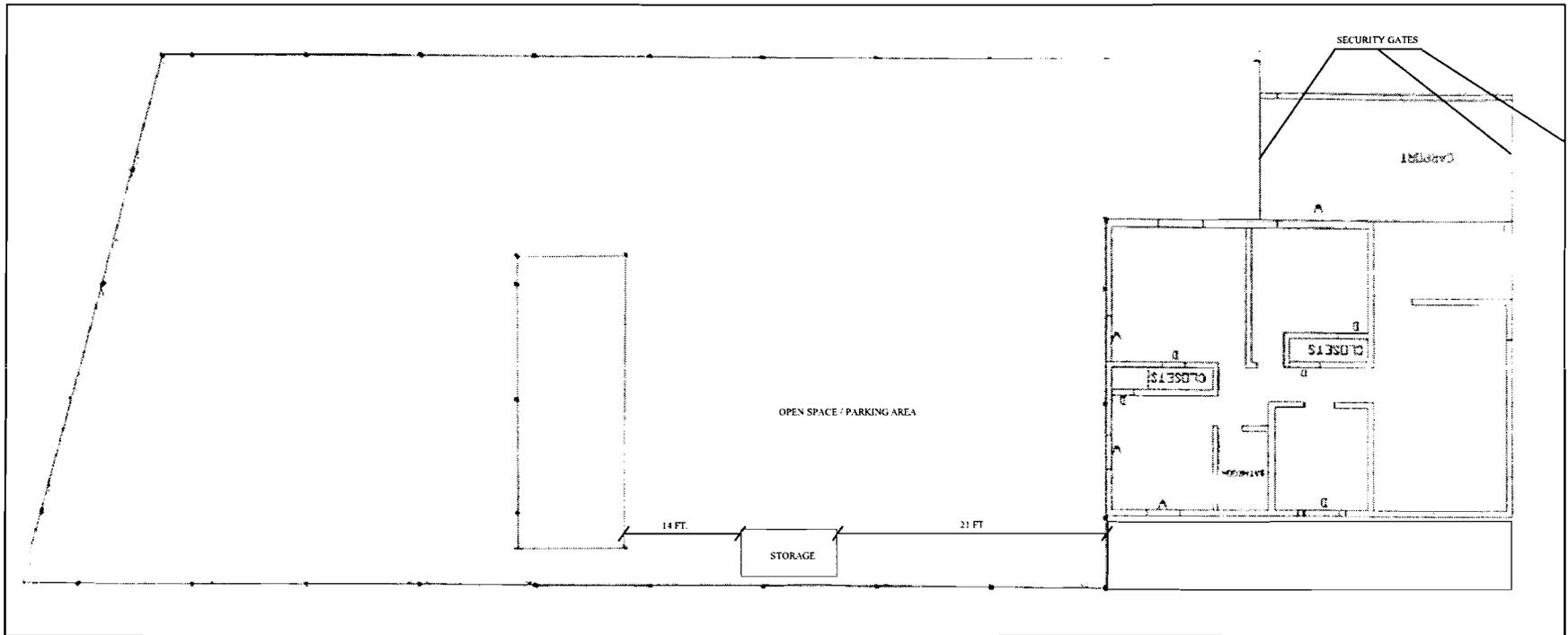


David M. Rho, MS, WSO-CHME, WSO-CSI
Health Physicist/Medical Physicist

This certifies that the employee has been trained and tested, as required by 49 CFR 172.704.



Management



NOT TO SCALE

NUCLEAR GAUGE STORAGE LOCATION AT
DESPIATI ASSOCIATES CORP FACILITIES

FLOOR PLAN SKETCH

1

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

4/9/2009, and to inform you that the initial processing which includes an administrative review has been performed.

NEW LICENSE APPLICATION (03038023)
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** 143639.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.