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

U.S. NUCLEAR REGULATORY COMMISSION

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

Q-2

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:

52-31359-01

NUCLEAR MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 E. LAMAR BOULEVARD, SUITE 400
ARLINGTON, TX 76011-4125

03037992

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)

CONSTRUCTORA MELENDEZ, S.E.
BETANCES 15 SEGUNDO NIVEL
SANTA ISABEL PR 00757

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

PR-52 JUANA DIAZ-PR
PR-108-MAYAGUEZ-PR
CARR. 153 BO. PASO SECO-SANTA ISABEL

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

ABIMAEL MELENDEZ VAZQUEZ

TELEPHONE NUMBER

7878452475

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.

LICENSE FEES (See 10 CFR 170 and Section 170.31)
FEE CATEGORY GAUGES | 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.

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 XI, 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	SIGNATURE	DATE
ABIMAEL MELENDEZ VAZQUEZ ADM. VP		04/17/2009

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			$		

APPROVED BY _____ DATE _____

NRC FORM 313 (4-2009) PRINTED ON RECYCLED PAPER

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NMSS/RC[illegible]

ITEMS 5 AND 6: MATERIALS TO BE POSSESSED AND PROPOSED USES

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
		Cesium-137	Sealed source manufacturer or distributor and model number: Device manufacturer or distributor and model number:	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes ☐ Specific description of the gauge use:	XX ☐ Not applicable ☐ Uses are: (Submit safety analysis supporting safe use)
		Americium-241	Sealed source manufacturer or distributor and model number: Device manufacturer or distributor and model number:	Not to exceed either the maximum activity per source a maxi. activity per device as specified in Sealed Source and Device Registration Certificate	Yes ☐ Specific description of the gauge use:	XX ☐ Not applicable ☐ Uses are: (Submit safety analysis supporting safe use)

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
		Californium-252	Sealed source manufacturer or distributor and model number: Device manufacturer or distributor and model number:	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes ☐ Specific description of the gauge use:	XX Not applicable O Uses are: (Submit safety analysis supporting safe use)
		Other Isotope (Specify): RADIUM 226	Sealed source manufacturer or distributor and model number: Device manufacturer or distributor and model number: SEAMAN NUCLEAR MOD C-20 SEAMN NUCLEAR MOD C-300 SEAMAN NUCLEAR MOD C-300	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes XX Specific description of the gauge use:	☐ Not applicable ☐ Uses are: (Submit safety analysis supporting safe use)
		Financial Assurance Required and Evidence of Financial Assurance Provided				

ITEMS 7 THROUGH 11: TRAINING AND EXPERIENCE, FACILITIES AND EQUIPMENT, RADIATION SAFETY PROGRAM, AND WASTE DISPOSAL

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
7. **INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND** EXPERIENCE – **RADIATION SAFETY** OFFICER Name: ABIMAEL MELENDEZ	Before obtaining licensed materials, the proposed RSO will have successfully completed one of the training courses described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience – Radiation Safety Officer" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.	XX	☐
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.	XX	☐
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."	**Separate Item 9 Response Need Not Be Submitted With Application**	
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.	**Need Not Be Submitted With Application**	
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.	**Need Not Be Submitted With Application**	
10. **RADIATION SAFETY PROGRAM – SURVEY INSTRUMENTS**	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.	XX	☐

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
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.	XX	☐
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 wc will provide dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor.	XX	☐
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.	**Need Not Be Submitted With Application**	
10. RADIATION SAFETY PROGRAM – OPERATING AND EMERGENCY PROCEDURES	We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all gauge users and at each job site. **OR** 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.	XX ☐	☐
10. RADIATION SAFETY PROGRAM" **LEAK** TEST	Leak tests will be performed at intervals approved by NRC or an Agreement Sate and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed by an organization authorized by NRC or an Agreement State w provide *leak* testing services for other licensees *or* using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier's instructions.	XX	☐ The information in Appendix J supporting a request to perform leak testing and sample analysis is attached.

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
10. RADIATION SAFETY PROGRAM – MAINTENANCE	*Routine* Cleaning *and Lubrication* We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions. *Non-Routine Maintenance* We will send the gauge to the manufacturer or other person authorized by 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.	XX XX	☐ ☐ The information listed in Appendix G supporting a request to perform non-routine maintenance in-house is attached
10.RADIATION SAFETY PROGRAM – TRANSPORTATION	The applicant is not required to submit its response to transportation during the licensing process. However, this issue will be reviewed during inspection.	Need Not Be Submitted With Application	
11. WASTE MANAGEMENT – GAUCE 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.	Need Not Be Subdtted With Application	

Operating and Emergency Procedures

Operating Procedures

If personnel dosimetry is provided:

- Always wear your assigned thermoluminescent dosimeter (TLD) or film badge when using the gauge;
- Never wear another person's TLD or film badge;
- Never store your TLD or film badge near the gauge.

- Before removing the gauge from its place of storage, ensure that, where applicable, each gauge source is in the fully shielded position and that in gauges with a movable rad containing a sealed source, the source rod is locked (e.g., keyed lock, padlock, mechanical control) in the shicldcd position. Place the gauge in the transport case and lock the case.
- Sign out the gauge in a log book (that remains at the storage location) including the date(s) of use, name(s) of the authorized users who will be responsible for the gauge, and the temporary job site(s) where the gauge will be used.
- Block and brace the gauge to prevent movement during transport and lock the gauge in or to the vehicle. Follow all applicable Department of Transportation (DOT) requirements when transporting the gauge.
- Use the gauge according to the manufacturer's instructions and recommendations.
- Do not touch the unshielded source rod with your fingers, hands, or any part of your body.
- Do nat place hands, fingers, feet, or other body parts in the radiation field fiom an unshielded source.
- Unless absolutely necessary, do not look under the gauge when the source rod is being lowered into the ground. If you must look under the gauge to align the source rod with the hole, follow the manufacturer's procedures to minimize radiation exposure.
- After completing each measurement in which the source is unshielded, immediately return the source to the shielded position.
- Always maintain constant surveillance and immediate control of the gauge when it is not in storage. At job sites, do not walk away from the gauge when it is left on the ground. Take action necessary to protect the gauge and yourself from danger of moving heavy equipment.
- Always keep unauthorized persons away fiom the gauge.
- Perform routine cleaning and maintenance according to the manufacturer's instructions and recommendations.
- When the gauge is not in use at a temporary job site, place the gauge in a secured storage location (e.g., locked in the trunk of a car or locked in a storage shed).

- Before transporting the gauge, ensure that, where applicable, each gauge source is in the fully shielded position. Ensure that in gauges with a movable source rod, the source rod is locked in the shielded position (e.g., keyed lock, padlock, mechanical control). Place the gauge in the transport care and lock the case. Block and brace the case to prevent movement during transportation. Lock the case in or to the vehicle, preferably in a closed compartment.
- Return the gauge to its proper locked storage location at the end of the work shift.
- Log the gauge into the daily use log when it is returned to storage.
- If gauges arc used for measurements with the unshielded source extended more than 3 feet beneath the surface, use piping, tubing, or other casing material to line the hole from the lowest depth to 12 inches above the surface. If the piping, tubing, or other casing material cannot extend 12 inches above the surface, cap the hole liner or take other steps to ensure that the hole is free of debris (and it is unlikely drat debris will re-enter the cased hale) so that the unshielded source can move freely (e.g., use a dummy probe to verify that the hole is free of obstructions).
- After making changes affecting the gauge storage area (e.g., changing the location of gauges within the storage area, removing shielding, adding gauges, changing the occupancy of adjacent areas, moving the storage area to a new location), reevaluate compliance with public dose limits and ensure proper security of gauges.

Emergency Procedures

If the source fails to return to the shielded position (e.g., as a result of being damaged, source becomes stuck below the surface), or if any other emergency or unusual.situation arises (e.g., the gauge is struck by a moving vehicle, is dropped, is in a vehicle involved in an accident):

- Immediately secure the area and keep people at least 15 feet away from the gauge until the situation is assessed and radiation levels are known. However, perform first aid for any injured individuals and remove them from the area only when medically safe to do so.
- If any heavy equipment is involved, detain the equipment and operator until it is determined there is no contamination present.
- Gauge users and other potentially contaminated individuals should not leave the scene until emergency assistance arrives.
- Notify the following persons, in the order listed below, of the situation:

NAME[a]	WORK PHONE NUMBER'	HOME PRONE NUMBER[2]
ABIMAEL MELENDEZ	(787) 845-7343	(787) 390-1706
JUAN GALARZA	(787) 845-1403	(787) 312-1268

Follow the directions provided by tho person contacted above.

RSO and Licensee Management

Arrange for a radiation survey to be conducted as soon as possible by a knowledgeable person using appropriate radiation detection instrumentation. This person could be a licensee employee using a survey meter located at the job site ox a consultant. To accurately assess the radiation danger, it is essential that the person performing the survey be competent in the use of the survey meter.

- If gauges are used for measurements with the unshielded source cxtcnded more than 3 feet below tho surface, contact persons listed on the emergency procedures need to know the steps to be followed to retrieve a stuck source and to convey those steps to the staff on site.
- Make necessary notifications to local authorities as well as to NRC as required. (Even if it is not required, you may report *any* incident to NRC by calling NRC's Emergency Operations Center at (301) 81.6-5100, which is staffed 24 hours a day and accepts collect calls.) NRC notification is required when gauges containing licensed material are lost or stolen, when gauges are damaged or involved in incidents that result in doses in excess of 10 CFR 20.2203 limits, and when it becomes apparent that attempts to recover a source stuck below the surface will be unsuccessful.
- Reports to NRC must be made within the reporting time frames specified by the regulations.
- Reporting requirements are found in 10 CFR 20.2201-2203 and 10 CFR 30.50.