



ENGINEERS & CONSULTANTS

**CORPORATE HEADQUARTERS - PITTSBURGH**

ExpoMart, Suite 270-E • 105 Mall Boulevard • Monroeville, PA 15146-2288  
Phone (412) 856-9700 • Fax (412) 856-9749  
www.rizzoassoc.com

*br 3*

June 5, 2009  
Project No. 09-9009

Licensing Assistant Section  
Nuclear Materials Safety Branch  
US Nuclear Regulator Commission, Region I  
475 Allendale Road  
King of Prussia, PA 19406-1415

*03036589*

**TERMINATION OF LICENSE 37-28209-02**

To Whom It May Concern:

Enclosed are copies of the bill of sale of our nuclear gauges as well as a copy of the license of Fall Line Testing, the subsidiary to which we sold the nuclear gauges. A copy of the form NRC 314 is also included. We have already submitted these documents to suspend/terminate our 2008-2009 license. As of June 17, 2008 we have not been in possession of any nuclear related materials or equipment.

Please direct any questions to Ed Zullo 412-856-9700 x1006 or ed.zullo@rizzoassoc.com

Regards,

***Paul C. Rizzo Associates, Inc.***

Edward G. Zullo, P.E.  
Senior Project Engineer

EGZ/sll/kbk

RECEIVED  
REQ0011  
2009 JUN 10 PM 12: 29

### CERTIFICATE OF DISPOSITION OF MATERIALS

Estimated burden per response to comply with this mandatory collection request: 30 minutes. This submittal is used by NRC as part of the basis for its determination that the facility is released for unrestricted use. Send comments regarding burden estimate to the Records and FOIA/Privacy Services Branch (T-5 F52), 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, (3150-0028), 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.

LICENSEE NAME AND ADDRESS

Paul C. Rizzo Associates  
105 Mall Blvd Suite 270E  
Monroeville, PA 15146

LICENSE NUMBER

37-28209-02

DOCKET NUMBER

36589  
030-37643  
NRC

LICENSE EXPIRATION DATE

06/30/2014

This license has expired.

**A. LICENSE STATUS (Check the appropriate box)**  
This license has not yet expired; please terminate it.

#### B. DISPOSAL OF RADIOACTIVE MATERIAL

(Check the appropriate boxes and complete as necessary. If additional space is needed, provide attachments)

The licensee, or any individual executing this certificate on behalf of the licensee, certifies that:

- 1. No radioactive materials have ever been procured or possessed by the licensee under this license.
- 2. All activities authorized by this license have ceased, and all radioactive materials procured and/or possessed by the licensee under this license number cited above have been disposed of in the following manner.
  - a. Transfer of radioactive materials to the licensee listed below:  
Fall Line Testing & Inspection, LLC 1163 Maple Street Farmington, MO 63640 license no. 24-32685-01
  - b. Disposal of radioactive materials:
    - 1. Directly by the licensee:
    - 2. By licensed disposal site:
    - 3. By waste contractor:
  - c. All radioactive materials have been removed such that any remaining residual radioactivity is within the limits of 10 CFR Part 20, Subpart E, and is ALARA.

#### C. SURVEYS PERFORMED AND REPORTED

- 1. A radiation survey was conducted by the licensee. The survey confirms:
  - a. the absence of licensed radioactive materials
  - b. that any remaining residual radioactivity is within the limits of 10 CFR 20, Subpart E, and is ALARA.
- 2. A copy of the radiation survey results:
  - a. is attached; or  b. is not attached (Provide explanation); or  c. was forwarded to NRC on: \_\_\_\_\_ Date \_\_\_\_\_
- 3. A radiation survey is not required as only sealed sources were ever possessed under this license, and
  - a. The results of the latest leak test are attached; and/or
  - b. No leaking sources have ever been identified.

The person to be contacted regarding the information provided on this form:

NAME <b>Edward Zullo</b>	TITLE <b>Radiation Safety Officer</b>	TELEPHONE (Include Area Code) <b>(412) 856-9700</b>	E-MAIL ADDRESS <b>ed.zullo@rizz</b>
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Mail all future correspondence regarding this license to:

**105 Mall Blvd Suite 270E Monroeville PA 15146**

#### C. CERTIFYING OFFICIAL

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

PRINTED NAME AND TITLE

**Edward Zullo**

SIGNATURE

*Edward G. Zullo*

DATE

**6-5-09**

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECT. 18 U.S.C. SECTION 1001 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.

# CERTIFICATE OF DISPOSITION OF MATERIALS

PLEASE READ THESE INSTRUCTIONS BEFORE COMPLETING NRC FORM 314.

Subpart E of 10 CFR Part 20 establishes the radiological criteria for license terminations/decommissioning of facilities licensed under 10 CFR Parts 30, 40, 50, 60, 61, 70, and 72, as well as other facilities subject to the Commission's jurisdiction under the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended.

## INSTRUCTIONS

### Section B, Item 2.

Licensees should describe the specific radioactive material transfer actions. If radioactive wastes were generated in terminating this license, the licensee should describe the disposal actions taken, including the disposition of low-level radioactive waste, mixed waste, greater-than-Class-C waste, and sealed sources.

### Section B, Item 2.a.

The information provided concerning the transfer of radioactive material to another licensee should specify the date of the transfer, the name of the licensee recipient, an individual contact name and telephone number for the licensee recipient, and the recipient's NRC or Agreement State license number.

### Section B, Item 2.b.

For disposal of radioactive materials, licensees should describe the specific disposal method or procedure (e.g., decay-in-storage). For those cases when radioactive materials are disposed of by a licensed disposal site or by a waste contractor, the licensee should specify the name, address, and telephone number of the licensed disposal site operator or waste contractor.

### Section B, Item 2.c.

"Residual radioactivity," as defined in 10 CFR 20.1003, means radioactivity in 'areas' (structures, materials, soils, etc.) remaining as a result of activities (licensed and unlicensed) under the licensee's control from sources used by the licensee, excluding background radiation. ALARA is defined in 10 CFR 20.1003.

## FILE CERTIFICATES 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 CERTIFICATES TO:

LICENSING ASSISTANT SECTION  
NUCLEAR MATERIALS SAFETY BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

### IF YOU ARE LOCATED IN:

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 CERTIFICATES TO:

MATERIAL RADIATION PROTECTION SECTION  
U. S. NUCLEAR REGULATORY COMMISSION, REGION IV  
612 E. LAMAR BOULEVARD, SUITE 400  
ARLINGTON, TX 76011-4125

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND CERTIFICATES TO:

MATERIALS LICENSING SECTION  
U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352



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June 17, 2008  
Project No. 08-9009

Mr. Scott Nichols  
Radiation Safety Officer  
Fall Line Testing Inspection, LLC  
1163 Maple Street  
Farmington, MO 63640

NUCLEAR DENSITY GAUGE SALE AGREEMENT

Dear Scott:

This letter confirms that Fall Line Testing & Inspection, LLC, (Fall Line) has purchased three Troxler Nuclear Gauges from Paul C. Rizzo Associates, Inc. (RIZZO). We understand that Fall Line holds a nuclear license (No. 24-32865-01) from the Nuclear Regulatory Commission. The gauges were sold "as is." The gauges were sold for \$500 each for a total of \$1,500. The three gauges are:

- Troxler model 3440, Serial No. 25860;
- Troxler model 3440, Serial No. 18616; and
- Troxler Model 3411-B, Serial No. 6092.

Please sign and return this letter to me for my files.

Sincerely yours,  
Paul C. Rizzo Associates, Inc.

*Edward G. Zullo*

Edward G. Zullo, P.E  
Radiation Safety Officer

Signed

*Scott Nichols*  
Scott Nichols  
Radiation Safety Officer

*PRESIDENT  
FALL LINE TESTING  
& INSPECTION*

Date

*6-17-08*

*Scott Hughson*

*Scott Hughson*

*Corp RSO*

EGZ/map/kbk

L1 089009/08

• Monroeville PA (Corp.HQ) • Johnstown PA • San Francisco CA • St. Louis MO • Waldwick NJ • Columbia SC •  
• Buenos Aires Argentina • Pizen Czech Republic • Lima Peru • St. Petersburg Russia • Cape Town South Africa •



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, ILLINOIS 60532-4352

MAY 14 2008

Scott C. Nichols  
President  
Fall Line Testing & Inspection, LLC  
1163 Maple Street  
Farmington, MO 63640

Dear Mr. Nichols:

Enclosed is your NRC Material License No. 24-32685-01 in accordance with your request.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

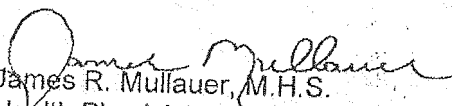
1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
  - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
  - b. When the mailing address listed on the license changes.
3. In accordance with 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
  - a. When you decide to terminate all activities involving materials authorized under the license; or
  - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
  - a. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;

- b. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
- c. Change ownership of your organization.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

  
James R. Mullauer, M.H.S.  
Health Physicist  
Materials Licensing Branch

License No. 24-32685-01  
Docket No. 030-37657

- Enclosures:
- 1. License No. 24-32685-01
  - 2. New Portable Gauge License Package

**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. Fall Line Testing & Inspection, LLC		3. License number 24-32685-01
2. 1163 Maple Street Farmington, MO 63640		4. Expiration date May 31, 2018
		5. Docket No. 030-37657 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 (Troxler Drawing No. A-102112)	A. 5 sources not to exceed 9 millicuries each
B. Americium-241	B. Sealed sources (Troxler Drawing No. A-102451)	B. 5 sources not to exceed 44 millicuries each
9. Authorized use:		
A. and B. In Troxler Electronic Laboratories Model No. 3400 Series portable gauging devices for measuring physical properties of materials.		

**CONDITIONS**

10. Licensed material may be used or stored at the licensee's facilities located at 1163 Maple Street, Farmington, Missouri 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.
11. Licensed material shall only be used by, or under the supervision and in the physical presence of, individuals who have received the training described in application dated February 15, 2008.
12. The Radiation Safety Officer (RSO) for this license is Scot Hughson.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

24-32685-01

Docket or Reference Number

030-37657

13. 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 NRC under 10 CFR 32.210 or by 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 NRC under 10 CFR 32.210 or by an Agreement State prior to the transfer, a sealed source received from another person shall not be put into use until tested.
- 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.
- 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 shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services. In addition, the licensee is authorized to collect leak test samples but not perform the analysis: analysis of leak samples must be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
- F. Records of leak tests results shall be kept in units of microcuries and shall be maintained for 3 years.
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.
15. The licensee shall conduct a physical inventory every 6 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.
16. Except for maintaining labeling as required by 10 CFR Part 20 or 71, the licensee shall obtain authorization from NRC before making any changes in the sealed source, device, or source-device combination that would alter the description or specifications as indicated in the respective Certificates of Registration issued either by the Commission pursuant to 10 CFR 32.210 or by an Agreement State.
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. A minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal whenever the portable gauge is not under the control and constant surveillance of the licensee are required.



MATERIALS LICENSE  
SUPPLEMENTARY SHEETLicense Number  
24-32685-01Docket or Reference Number  
030-37657

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 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.
20. The licensee is authorized to transport licensed material only 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 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 February 15, 2008; and
- B. Letter dated April 17, 2008.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date

MAY 14 2008

By Kevin A. Nease  
for James R. Mullauer, M.H.S.  
Materials Licensing Branch  
Region III

143791



Licensing Assistant Section  
Nuclear Materials Safety Branch  
US Nuclear Regulatory Commission  
Region 1  
475 Allendale Rd  
King of Prussia, PA 19406

This is to acknowledge the receipt of your letter/application dated 6/5/2009, and to inform you that the initial processing which includes an administrative review has been performed.

TERMINATION 37-28209-02  
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 143791.  
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 (R1)  
(6-96)

Sincerely,  
Licensing Assistance Team Leader