



# INDIANA DEPARTMENT OF TRANSPORTATION

*Driving Indiana's Economic Growth*

Vincennes District Office  
3650 South U.S. Highway 41  
Vincennes, Indiana 47591 (812) 882-8330 FAX: (812) 882-2752

**Mitchell E. Daniels, Jr., Governor**  
**Michael W. Reed, Commissioner**

May 27, 2010

Materials Licensing Section  
U.S. Nuclear Regulatory Commission  
Region III  
2443 Warrenville Road  
Suite 210  
Lisle, IL 60532-4352

RE: Change of RSO Officers for NRC Material License No. 13-26343-01

This is to inform you that we have a new Radiation Safety Officer for the Vincennes District of the Indiana Department of Transportation; we are requesting that Kevin Day be added as the new RSO. Kevin attended the training in Chicago on May 20, 2010. He has not received his certificate from that yet. In a letter sent to you dated April 12, 2010 (attached) it was requested that Elliott Sturgeon be added as the RSO but we are wanting to keep him as a temporary backup until we have another person go to the training in the fall. Also in the letter dated April 12, 2010 it was stated to remove Mark Fligor as RSO. Besides this RSO change, there will be no change in our program.

If there is any other information that you might need please let us know. If there are further questions or problems please contact me at this office at 812-895-7425.

Sincerely,

Andrew Carter  
District Testing Engineer

AC/pjl

Cc: Kevin Day  
Elliott Sturgeon  
File

Attachments

RECEIVED JUN 04 2010



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**Mitchell E. Daniels, Jr., Governor**  
**Michael W. Reed, Commissioner**

April 12, 2010

Materials Licensing Section  
U.S. Nuclear Regulatory Commission  
Region III  
2443 Warrenville Road  
Suite 210  
Lisle, IL 60532-4352

RE: Change of RSO Officers for NRC Material License No. 13-26343-01

As the current Radiation Safety Officer for the Vincennes District of the Indiana Department of Transportation, I am requesting that I be removed as the RSO and that Elliott Sturgeon be added. Elliott Sturgeon became the RSO for the Vincennes District on Amendment#1 dated July 23, 1992 (attached) and served as such until August 31, 2006 when I became the RSO. Elliott still works for the Vincennes District and will be filling in as the RSO until a new Testing Engineer can be placed in my position and sent to RSO training. Elliott is very familiar with all the NRC requirements due to this past experience. Besides this RSO change, there will be no change in our program.

I trust the enclosed information is as required. If there are further questions or problems please contact me at this office at 812-895-7425 or Elliott Sturgeon at 812-254-2918.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Fligor', written over a horizontal line.

Mark Fligor  
Radiation Safety Officer

**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.

<p style="text-align: center;">Licensee</p> <p>1. Indiana Department of Transportation Vincennes District</p> <p>2. 3650 South U.S. Highway 41 Vincennes, IN 47591</p>	<p><b>In accordance with the letter dated June 7, 2006, and facsimile letters dated August 28 and 30, 2006,</b></p> <p>3. License number 13-26343-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date August 31, 2012</p> <p>5. Docket No. 030-32465 Reference No. <u>        </u></p>
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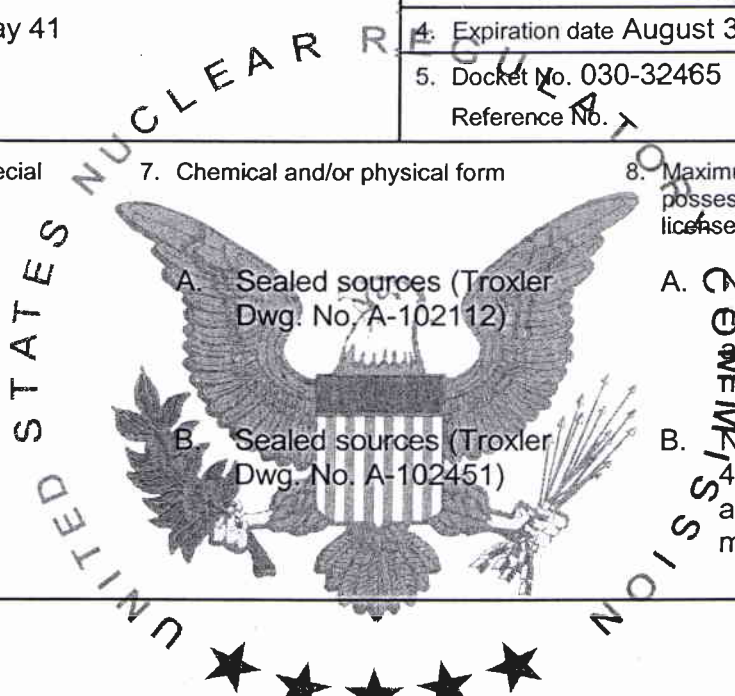
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Cesium-137</p> <p>B. Americium-241</p>	<p>7. Chemical and/or physical form</p> <p>A. Sealed sources (Troxler Dwg. No. A-102112)</p> <p>B. Sealed sources (Troxler Dwg. No. A-102451)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. No single source to exceed 9 millicuries each. Total activity not to exceed 144 millicuries.</p> <p>B. No single source to exceed 44 millicuries each. Total activity not to exceed 704 millicuries.</p>
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9. Authorized Use:

A. and B. To be used in Troxler Model 3400 series surface moisture/density gauging devices for measuring physical properties of materials.

CONDITIONS

- 10. Licensed material may be stored at 3650 South U.S. Highway 41, Vincennes, Indiana, 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 be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the letter dated August 26, 2002.
- 12. The Radiation Safety Officer for this license is **Mark Fligor**.



**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
13-26343-01Docket or Reference Number  
030-32465

Amendment No. 6

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 or detector cell 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(e)(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. Tests for leakage and/or contamination shall be performed by the licensee or other 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 for analysis by persons specifically licensed by the Commission or an Agreement State to perform such services.
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. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.



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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.
18. **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.**
19. 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 Commission or an Agreement State to perform such services.
20. 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.
21. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

**MATERIALS LICENSE  
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Amendment No. 6

22. 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. Letter dated August 26, 2002; and

B. Facsimile letter dated August 30, 2006.



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date AUG 31 2006By William P. ReichholdWilliam P. Reichhold  
Materials Licensing Branch  
Region III

Indiana Department of Transportation  
3660 South US Highway 41  
Vincennes, Indiana 47591



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JUN 01 2010

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U.S. Nuclear Regulatory Commission  
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